

RESOLUTION 2019-122

AUTHORIZING THE GENERAL MANAGER, CHIEF EXECUTIVE OFFICER TO ACCEPT THE ASSIGNMENT OF FIVE EASEMENTS FOR THE PURPOSE OF INSTALLING BUS SHELTERS AND RELATED AMENITIES TO IMPLEMENT THE EAST 105TH STREET OPPORTUNITY CORRIDOR TRANSIT WAITING ENVIRONMENT PROJECT ON CLEVELAND CLINIC FOUNDATION PROPERTIES

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") Board adopted Resolution No. 2014-73 on August 19, 2014 authorizing an interagency agreement ("Interagency Agreement") with the Ohio Department of Transportation ("ODOT") for Section 1 of the Opportunity Corridor Project ("Project"); and

WHEREAS, the Interagency Agreement provided that ODOT would reimburse the Authority up to \$420,000.00 to construct enhanced bus shelters and transit waiting environments on E 105th Street for the Project area for Section 1 of the Opportunity Corridor Project; and

WHEREAS, ODOT has agreed to include the area required for the construction of the bus shelters and amenities in the proposed right-of-way limits for the Project; and

WHEREAS, ODOT has acquired easements from The Cleveland Clinic Foundation ("CCF") over CCF properties known as Permanent Parcel Numbers 119-24-001, 119-19-006, 119-18-001, 119-20-034, and 119-20-035; and

WHEREAS, the easements will provide sufficient space for the installation of bus shelters and transit waiting environments; and

WHEREAS, ODOT now proposes to assign the easements to the Authority.

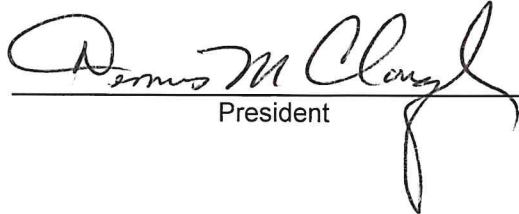
NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager, Chief Executive Officer is hereby authorized to accept the assignment of five easements from the Ohio Department of Transportation ("ODOT") for the purpose of installing bus shelters and related amenities in order to implement the East 105th Street Opportunity Corridor Transit Waiting Environment Project ("E 105 OC TWE") on Cleveland Clinic Foundation ("CCF") properties known as Permanent Parcel Numbers 119-24-001, 119-19-006, 119-18-001, 119-20-034, and 119-20-035, located on East 105th Street between Chester Avenue and Cedar Avenue.

Section 2. That the General Manager, Chief Executive Officer is hereby authorized to execute all documents required to accept the assignment by ODOT of the easements from the CCF.

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

Adopted: December 17, 2019


President

Attest: 
Interim Secretary-Treasurer



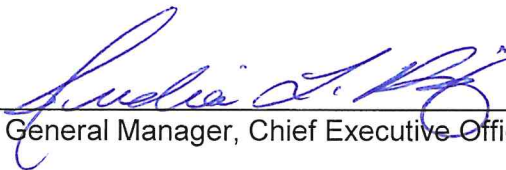
Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: EASEMENT: ACCEPTANCE OF EASEMENTS OVER PPNS 119-24-001, 119-19-006, 119-18-001, 119-20-034, AND 119-20-035 FOR THE E 105 th STREET OPPORTUNITY CORRIDOR TRANSIT WAITING ENVIRONMENT PROJECT GRANTOR: THE CLEVELAND CLINIC FOUNDATION ASSIGNOR: ODOT AMOUNT: \$0	Resolution No.: 2019-122
	Date: December 12, 2019
	Initiator: Programming and Planning
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:** The resolution seeks Board approval to accept the assignment of easements for the purpose of installing bus shelters and related amenities in order to implement the E 105th Street Opportunity Corridor Transit Waiting Environment Project ("E 105 OC TWE") on Cleveland Clinic Foundation ("CCF") properties known as PPNS 119-24-001, 119-19-006, 119-18-001, 119-20-034, and 119-20-035 located on E 105th Street between Chester Avenue and Cedar Avenue.
- 2.0 **DESCRIPTION/JUSTIFICATION:** In August 2014, the Authority and the Ohio Department of Transportation ("ODOT") entered into an Interagency Agreement for Section 1 of the Opportunity Corridor Project ("Interagency Agreement") to coordinate the installation of bus shelters and amenities in connection with the development of the Opportunity Corridor. E 105 OC TWE implements this Interagency Agreement. Easements are needed where the planned enhanced transit waiting environments will not fit within the E 105th Street right-of-way. Per the Interagency Agreement, ODOT acquired the easements from the CCF for the sum of \$40,195 and now proposes to assign them to the Authority.
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** Does not apply.
- 5.0 **POLICY IMPACT:** The Authority's Real Estate Policies specify that the Board of Trustees must approve acceptance of any permanent easement with a value equal to or in excess of \$2,500.00. The easements described herein are easements under Chapter 470 of GCRTA's Codified Rules and Regulations.
- 6.0 **ECONOMIC IMPACT:** The easements are being assigned to GCRTA at no cost.
- 7.0 **ALTERNATIVES:** The Authority could refuse to accept the easements, which would leave the Authority without permission to locate its facilities on these parcels.
- 8.0 **RECOMMENDATION:** Staff recommends the Board of Trustees approve the resolution to authorize the Authority to accept ODOT's assignment of the Easements from the CCF.
- 9.0 **ATTACHMENTS:** A. Draft Amended and Restated Easement
B. Proposed Assignment from ODOT to GCRTA

C. Location Map

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.


General Manager, Chief Executive Officer

ATTACHMENT A

ODOT RE 209
Rev. 10/2017

EVS
LPA Pmt. By State

DRAFT

AMENDED AND RESTATED EASEMENT

THIS AMENDED AND RESTATED EASEMENT AGREEMENT (this "Easement") is made and entered into as of the _____ day of _____, 2019 by and between The Cleveland Clinic Foundation, an Ohio nonprofit corporation, 9500 Euclid Ave., Cleveland, Ohio 44195 ("Grantor"), and the State of Ohio, Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223 ("Grantee").

RECITALS:

1. Grantor executed an easement on September 23, 2019 to provide access to five separate areas of its property for the purpose of installing, operating and maintaining facilities and associated amenities, for use as a bus stop at each of the five separate areas (the "Facilities") for public transportation purposes. The easement was recorded as No. 201909270621 in the official records of the Cuyahoga County Fiscal Officer on September 27, 2019 (the "Original Easement Agreement").
2. The Facilities are to be owned by and provided, installed, operated, and maintained by the Greater Cleveland Regional Transit Authority ("Authority").
3. The Greater Cleveland Regional Transit Authority, as the proposed assignee of Grantee, has asked Grantor to amend the Original Easement Agreement to accommodate its operational needs related to the installation, operation and maintenance of the Facilities.
4. The parties hereto desire to establish this Amended and Restated Easement provided for herein in place of the Original Easement Agreement.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

ATTACHMENT A

1. The Grantor, in consideration of the sum of \$40,195.00, paid by the Grantee, in the name of and for the use of the Grantee and its assignee – the Authority, does hereby convey to Grantee, its successors and assigns for the term stated herein, this Easement over, across, under, and above each of the five (5) separate areas more particularly described in Exhibit A (attached hereto and incorporated herein by reference and hereinafter referred to collectively as the “Easement Parcels”), each of which is located solely within the following described real estate of Grantor (the “Grantor Property”):

EASEMENT PARCEL(S): 1077 SHV, 1079 SHV, 1080 SHV, 1082 SHV, 1088 SHV

CUY-10-21.49

SEE EXHIBIT “A” ATTACHED

Located within Cuyahoga County Current Tax Parcel Nos. 119-24-001; 119-19-006; 119-18-001; 119-20-034; 119-20-035

Prior Instrument Reference: Plat Volume 316, Page 79; Plat Volume 282, Page 82; Deed Volume 39, Page 743; Deed Volume 90372, Page 2; Deed Volume 8605, Page 46; Deed Volume 2933, Page 53; Deed Volume 216, Page 897; Transfer Certificate of Title, Certificate No. 133364; Deed Volume 6012, Page 21; Deed Volume 15667, Page 579; Deed Volume 15206, Page 793; Deed Volume 51262, Page 44; Plat Volume 283, Page 86; Deed Volume 14890, Page 913; Deed Volume 14890, Page 919; Deed Volume 14869, Page 265; Deed Volume 44987, Page 1; Deed Volume 44986, Page 68; Deed Volume 44986, 29-53 inclusive; Deed Volume 14890, Page 913; Deed Volume 12370, Page 145; Deed Volume 14813, Page 249; Deed Volume 14859, Page 813; Deed Volume 14900, Page 343; Plat Volume 386, Page 4; Deed Volume 7599, Page 11 & Instrument No. 201611300368 , Cuyahoga County Recorder’s Office.

2. The Easement is solely for the purpose of installing, operating and maintaining Facilities for use as a bus stop for public transportation purposes within the Easement Parcels. In the event that any one of the bus stops that are placed within the Easement Parcels is no longer needed for public transportation purposes, that Easement Parcel shall no longer be included in this Easement and such Easement Parcel shall revert to Grantor and the Facilities shall not be considered fixtures and shall remain the property of the Authority, as Grantee’s assignee. Upon the request of Grantor, the Authority shall promptly remove the Facilities and, with the exception of the concrete shelter pad, restore the Easement Parcel to the condition existing prior to installation of the Facilities.
3. Grantor, for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that it is the true and lawful owner of the Grantor Property in fee simple, and has the right and power to convey the Easement over the Easement Parcels and that the Grantor

ATTACHMENT A

Property and Easement Parcels are free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor will warrant and defend the Easement and all Easement Parcels against all claims of all persons.

4. Grantee or its assignee (the Authority) shall maintain, repair and replace any Facilities placed upon the Easement Parcels by Grantee or the Authority at Grantee's or the Authority's sole cost and expense, provided; however, that if any replacement is required, Grantee or the Authority shall provide prior written notice to Grantor. Grantee or the Authority shall coordinate any work required for the replacement of Facilities with Grantor, and will make commercially reasonable efforts to minimize the impact on Grantor's operations and vehicular or pedestrian traffic.
5. In the event that one or more of the Easement Parcels are needed for future expansion of Grantor's operations, Grantee and the Authority agree to cooperate with Grantor to find suitable replacement locations for a replacement easement for use as a bus stop that can provide equivalent amenities as provided for herein. Grantor agrees to pay the cost of relocating the Facilities including construction of a new bus shelter pad if needed.
6. The parties hereto acknowledge that the Easement and Easement Parcels conveyed to Grantee hereunder is are being acquired for one of the statutory purposes for which the Director of Transportation may acquire property under Title LV of the Ohio Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Ohio Revised Code.
7. This Easement over, across, under, and above the Easement Parcels runs with the Grantor Property and Easement Parcels.
8. The parties hereto acknowledge that the Easement may be assigned to the Authority or its successors and assigns.

IN WITNESS WHEREOF, The Cleveland Clinic Foundation, an Ohio nonprofit corporation, has caused its name to be subscribed by _____, its duly authorized _____, and its duly authorized agent on the _____ day of _____, 2019.

ATTACHMENT A

THE CLEVELAND CLINIC FOUNDATION, AN OHIO
NONPROFIT CORPORATION

By: _____

Print: _____

Date: _____

STATE OF OHIO, COUNTY OF Cuyahoga ss:

THIS IS A NON-JURAT CERTIFICATE. NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE
SIGNER.

BE IT REMEMBERED, that on the _____ day of _____, _____, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named _____, who acknowledged being the
_____ and duly authorized agent of The Cleveland Clinic
Foundation, an Ohio nonprofit corporation, and who acknowledged the foregoing instrument to
be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.

NOTARY PUBLIC

My Commission expires: _____

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION

ATTACHMENT A

Jack Marchbanks, Director

Date: _____

By: Matthew G. Schulz
District 12 Real Estate Administrator

STATE OF OHIO, COUNTY OF CUYAHOGA ss:

This is a non-jurat certificate. No oath or affirmation was administered to the signer.

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above- named _____, the duly authorized representative of the State of Ohio, Department of Transportation, who acknowledged the foregoing instrument to be the voluntary act and deed of the State of Ohio, Department of Transportation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC
My Commission _____

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

EXHIBIT A

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Rev. 06/09

Ver. Date 5/25/2017

PID 96832

**PARCEL 1077-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 401, Township 7, Range 12 of The Connecticut Western Reserve and being part of lot numbered A-2 of the Map of Consolidation and Lot Split for The Cleveland Clinic Foundation as recorded in Plat Book 316, Page 79 of the Cuyahoga County Records. The herein described parcel lies on the left side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, A CORPORATION, A.K.A. CLEVELAND CLINIC FOUNDATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in Deed Volume 39, Page 743, Volume 89-0372, Page 2, Volume 96-08605, Page 46, Volume 89-2933, Page 53, Deed Volume 216, Page 897, Transfer of Certificate Title, Certificate No. 133364, Volume 86-6012, Page 21, Deed Volume 15667, Page 579, Deed Volume 15206, Page 793, Plat Book 316, Page 79, Plat Book 282, Page 82 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the West Right of Way line of E. 105th Street (Width Varies) as

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dedicated in City of Cleveland Agreement Records Volume 1, Page 148, also being the Grantor's East line and the South corner of Parcel 1077-WD2 as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300364 at 35.00 feet Left of the existing centerline of E. 105th Street at station 37+07.41;

THENCE with the West Right of Way line of E. 105th Street, **South 00 Degrees 42 Minutes 53 Seconds East**, for a distance of **69.55 feet** at 30.00 feet Left the existing centerline of E. 105th Street at station 36+32.71, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the West Right of Way line of E. 105th Street, **South 00 Degrees 42 Minutes 53 Seconds East**, for a distance of **32.00 feet** at 30.00 feet Left of the existing centerline of E. 105th Street at station 36+00.71;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **South 88 Degrees 54 Minutes 42 Seconds West**, for a distance of **8.46 feet** at 38.46 feet Left of the existing centerline of E. 105th Street at station 36+00.65;
- 2) **North 01 Degree 05 Minutes 18 Seconds West**, for a distance of **32.00 feet** at 38.67 feet Left of the existing centerline of E. 105th Street at station 36+32.65;
- 3) **North 88 Degrees 54 Minutes 42 Seconds East**, for a distance of **8.67 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.006 acres (261 square feet), including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-24-001.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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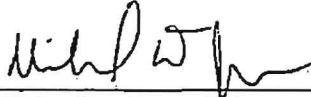
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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.



Burgess and Niple, Inc.

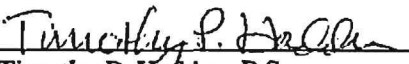


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.





Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

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Ver. Date 10/29/2018

PID 96832

**PARCEL 1079-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the **Greater Cleveland Regional Transit Authority**, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part of Original One Hundred Acre Lot Number 402 as shown in "Map of Cuyahoga County, Ohio" showing the Original Township Lots by Albert S. Porter, County Engineer (M-3760) of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in AFN #200604040759 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (width varies) as described as Parcel 1079-WD as conveyed to the State of Ohio, Department of Transportation as described in AFN #201611300368 at 71.00 feet Right of the existing centerline of E. 105th Street at station 38+46.72;

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THENCE with said East Right of Way line of E. 105th Street and Parcel 1079-WD, **North 01 Degrees 05 Minutes 44 Seconds West**, for a distance of **32.19** feet at 71.00 feet Right the existing centerline of E. 105th Street at station 38+78.92, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with said East Right of Way line of E. 105th Street and Parcel 1079-WD, **North 01 Degrees 05 Minutes 44 Seconds West**, for a distance of **40.03** feet at 71.00 feet Right of the existing centerline of E. 105th Street at station 39+18.95;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 87 Degrees 55 Minutes 37 Seconds East**, for a distance of **8.42** feet at 79.42 feet Right of the existing centerline of E. 105th Street at station 39+19.09;
- 2) **South 01 Degree 49 Minutes 52 Seconds East**, for a distance of **40.10** feet at 79.93 feet Right of the existing centerline of E. 105th Street at station 38+78.99;
- 3) **South 88 Degrees 24 Minutes 38 Seconds West**, for a distance of **8.93** feet **BACK TO THE TRUE POINT OF BEGINNING**.

The above described parcel contains 0.008 acres (348 square feet), including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-19-006.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.

Burgess and Niple, Inc.



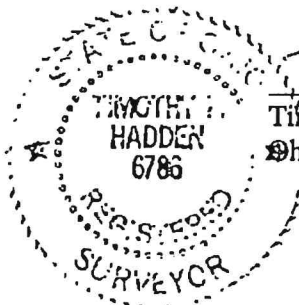
11/1/2018

Michael D. Jones, P.S.
Ohio Reg. No. 8459

Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.



11/01/18

Timothy P. Hadden, P.S.
Ohio Reg. No. 6786

Date

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Ver. Date 5/25/2017

PID 96832

**PARCEL 1080-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 401, Township 7, Range 12 of The Connecticut Western Reserve and being part of Lot A as shown in Consolidation Plat for The Cleveland Clinic Foundation as recorded in Plat Volume 283, Page 86 of the Cuyahoga County Records. The herein described parcel lies on the left side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30-33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION AN OHIO NOT FOR PROFIT CORPORATION A.K.A. THE CLEVELAND CLINIC A CORPORATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, A CORPORATION, A.K.A. THE CLEVELAND CLINIC, AN OHIO CORPORATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION" (hereafter referred to as Grantor) as described in Plat Volume 283, Page 86, Deed Volume 14890, Page 919, Deed Volume 14869, Page 265, Volume 84-4987, Page 1, Volume 84-4986, Page 68, Volume 84-4986, Page 29-53 inclusive, Deed Volume 14813, Page 249, Deed Volume 14859, Page 813, Deed Volume 14900, Page 343 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the West Right of Way line of E. 105th Street (Width Varies) as

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described in Parcel 1080-WD2 as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300370, also being the Grantor's East lands at 52.00 feet Left of the existing centerline of E. 105th Street at station 46+44.40;

THENCE with the West Right of Way line of E. 105th Street and Parcel 1082-WD2, and the Grantor's East line, **South 01 Degrees 05 Minutes 44 Seconds East**, for a distance of **43.86 feet** at 52.00 feet Left of the existing centerline of E. 105th Street at station 46+00.55, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the West Right of Way line of E. 105th Street and Parcel 1082-WD, and the Grantor's East line, **South 01 Degrees 05 Minutes 44 Seconds East**, for a distance of **39.01 feet** at 52.00 feet left of the existing centerline of E. 105th Street at station 45+61.54;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 89 Degrees 44 Minutes 13 Seconds West**, for a distance of **6.30 feet** to 58.30 feet Left of the existing centerline of E. 105th Street at station 45+61.68;
- 2) **North 00 Degrees 15 Minutes 47 Seconds East**, for a distance of **39.00 feet** to 57.37 feet Left of the existing centerline of E. 105th Street at station 46+00.67;
- 3) **South 89 Degrees 44 Minutes 13 Seconds East**, for a distance of **5.38 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.005 acres (218 square feet) more or less, including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-18-001.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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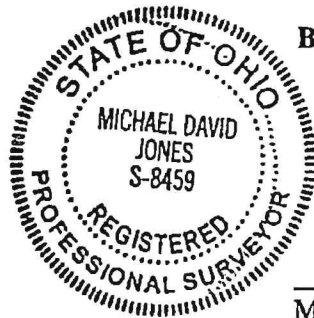
EXHIBIT A

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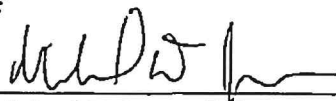
Page 3 of 3

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.



Burgess and Niple, Inc.

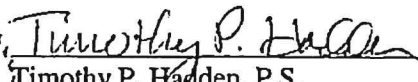


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.





Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

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Ver. Date 5/25/2017

PID 96832

**PARCEL 1082-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part lot number 7, inclusive of the Partition of the Estate of Job Doan's as described in the Court of Common Pleas Court Records in Volume 15, Page 284 of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "CLEVELAND CLINIC FOUNDATION, INC., A.K.A. CLEVELAND CLINIC FOUNDATION" (hereafter referred to as Grantor) as described in AFN 200004140296 and Volume 85-1262, Page 44 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (Width Varies) as described in Parcel 1082-WD as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300372, and also being the Grantor's West line at 45.00 feet Right of the existing centerline of E. 105th Street at station 48+01.21;

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THENCE with the East Right of Way line of E. 105th Street and Parcel 1082-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **85.43 feet** at 45.00 feet Right of the existing centerline of E. 105th Street at station 48+86.63, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the East Right of Way line of E. 105th Street and Parcel 1082-WD, **North 01 Degree 05 Minutes 10 Seconds West**, for a distance of **31.00 feet** at 45.00 feet Right of the existing centerline of E. 105th Street at station 49+17.63;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 88 Degrees 42 Minutes 00 Seconds East**, for a distance of **3.77 feet** at 48.77 feet right of the existing centerline of E. 105th Street at station 49+17.65;
- 2) **South 01 Degree 18 Minutes 00 Seconds East**, for a distance of **31.00 feet** to 48.88 feet Right of the existing centerline of E. 105th Street at station 48+86.65;
- 3) **South 88 Degrees 42 Minutes 00 Seconds West**, for a distance of **3.88 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.003 acres total (131 square feet), including 0.000 acres in the present road occupied (PRO), in Cuyahoga County Auditor's parcel number 119-20-034.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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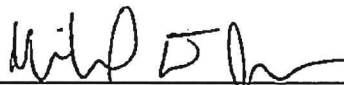
Page 3 of 3

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.



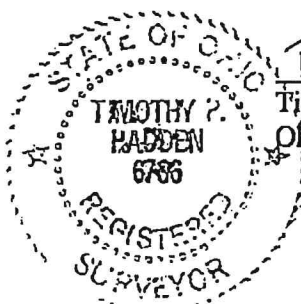
Burgess and Niple, Inc.

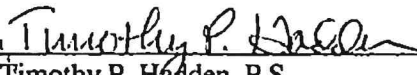


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.





Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

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Ver. Date 6/21/2017

PID 96832

**PARCEL 1088-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part of Original One Hundred Acre Lot Number 402 as shown in "Map of Cuyahoga County, Ohio" showing the Original Township Lots by Albert S. Porter, County Engineer (M-3760) of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in Volume 98-07599, Page 11 and Parcel "A" of Plat Book 386, Page 4 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (Width Varies) as described in Parcel 1088-WD as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300376, also being the on Grantor's South line and the North line of lands conveyed to the Cleveland Electric Illuminating Company, a corporation, at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+31.55;

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THENCE with the East Right of Way line of E. 105th Street and Parcel 1088-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **6.64 feet** at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+38.19, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the East Right of Way line of E. 105th Street and Parcel 1088-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **32.01 feet** at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+70.20;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 87 Degrees 23 Minutes 00 Seconds East**, for a distance of **3.70 feet** at 40.70 feet Right of the existing centerline of E. 105th Street at station 52+70.30;
- 2) **South 02 Degrees 37 Minutes 00 Seconds East**, for a distance of **32.00 feet** at 41.55 feet Right of the existing centerline of E. 105th Street at station 52+38.31;
- 3) **South 87 Degrees 23 Minutes 00 Seconds West**, for a distance of **4.55 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above described parcel contains 0.003 acres total (131 square feet), including 0.000 acres in the present road occupied (PRO), in Cuyahoga County Auditor's parcel number 119-20-035.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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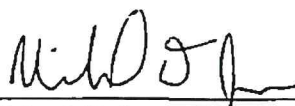
Page 3 of 3

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.

Burgess and Niple, Inc.

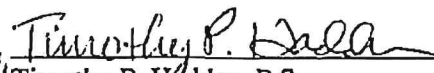



Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.




Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

ATTACHMENT B

ODOT RE 208
Rev. 10/2017

E
State

EASEMENT

The State of Ohio, Department of Transportation, the Grantor(s), in consideration of the sum of 1.00, to be paid by The Greater Cleveland Regional Transit Authority does convey(s) to The Greater Cleveland Regional Transit Authority, the Grantee, an easement, for the purpose of installing, using, maintaining, replacing and removing a bus shelter and related amenities for bus passengers and incidental uses related to such purpose as part of the Opportunity Corridor, which is more particularly described in Exhibit A, attached, the following described real estate:

EASEMENT PARCEL(S): 1077 SHV, 1079 SHV, 1080 SHV, 1082 SHV, 1088 SHV
CUY-10-21.49

SEE EXHIBIT "A" ATTACHED

Located within Cuyahoga County Current Tax Parcel Nos. 119-24-001; 119-19-006; 119-18-001; 119-20-034; 119-20-035

Prior Instrument Reference: Plat Volume 316, Page 79; Plat Volume 282, Page 82; Deed Volume 39, Page 743; Deed Volume 90372, Page 2; Deed Volume 8605, Page 46; Deed Volume 2933, Page 53; Deed Volume 216, Page 897; Transfer Certificate of Title, Certificate No. 133364; Deed Volume 6012, Page 21; Deed Volume 15667, Page 579; Deed Volume 15206, Page 793; Deed Volume 51262, Page 44; Plat Volume 283, Page 86; Deed Volume 14890, Page 913; Deed Volume 14890, Page 919; Deed Volume 14869, Page 265; Deed Volume 44987, Page 1; Deed Volume 44986, Page 68; Deed Volume 44986, 29-53 inclusive; Deed Volume 14890, Page 913; Deed Volume 12370, Page 145; Deed Volume 14813, Page 249; Deed Volume 14859, Page 813; Deed Volume 14900, Page 343; Plat Volume 386, Page 4; Deed Volume 7599, Page 11 & Instrument No. 201611300368, Cuyahoga County Recorder's Office.

Prior Instrument Reference: , Cuyahoga County Recorder's Office.

Grantor(s), for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that it is the true and lawful grantee of an easement of the property, and has the right and power to convey the easement and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

IN WITNESS WHEREOF State of Ohio, Department of Transportation has caused its name to be subscribed by _____, its duly authorized agent on the ____ day of _____.

State of Ohio, Department of Transportation

By: _____

Title: _____

STATE OF OHIO, COUNTY OF CUYAHOGA SS:

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____, the _____ of the State of Ohio, Department of Transportation, on behalf of the State of Ohio, Department of Transportation.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC

My Commission expires: _____

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

The Greater Cleveland Regional Transit Authority, by and through its General Manager, Chief Executive Officer, does hereby accept the within easement and all the terms and conditions thereof this _____ day of _____, 2019.

GREATER CLEVELAND REGIONAL TRANSIT
AUTHORITY

By: _____

EXHIBIT A

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Ver. Date 5/25/2017

PID 96832

**PARCEL 1077-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 401, Township 7, Range 12 of The Connecticut Western Reserve and being part of lot numbered A-2 of the Map of Consolidation and Lot Split for The Cleveland Clinic Foundation as recorded in Plat Book 316, Page 79 of the Cuyahoga County Records. The herein described parcel lies on the left side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, A CORPORATION, A.K.A. CLEVELAND CLINIC FOUNDATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in Deed Volume 39, Page 743, Volume 89-0372, Page 2, Volume 96-08605, Page 46, Volume 89-2933, Page 53, Deed Volume 216, Page 897, Transfer of Certificate Title, Certificate No. 133364, Volume 86-6012, Page 21, Deed Volume 15667, Page 579, Deed Volume 15206, Page 793, Plat Book 316, Page 79, Plat Book 282, Page 82 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the West Right of Way line of E. 105th Street (Width Varies) as

EXHIBIT A

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dedicated in City of Cleveland Agreement Records Volume 1, Page 148, also being the Grantor's East line and the South corner of Parcel 1077-WD2 as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300364 at 35.00 feet Left of the existing centerline of E. 105th Street at station 37+07.41;

THENCE with the West Right of Way line of E. 105th Street, **South 00 Degrees 42 Minutes 53 Seconds East**, for a distance of **69.55 feet** at 30.00 feet Left the existing centerline of E. 105th Street at station 36+32.71, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the West Right of Way line of E. 105th Street, **South 00 Degrees 42 Minutes 53 Seconds East**, for a distance of **32.00 feet** at 30.00 feet Left of the existing centerline of E. 105th Street at station 36+00.71;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **South 88 Degrees 54 Minutes 42 Seconds West**, for a distance of **8.46 feet** at 38.46 feet Left of the existing centerline of E. 105th Street at station 36+00.65;
- 2) **North 01 Degree 05 Minutes 18 Seconds West**, for a distance of **32.00 feet** at 38.67 feet Left of the existing centerline of E. 105th Street at station 36+32.65;
- 3) **North 88 Degrees 54 Minutes 42 Seconds East**, for a distance of **8.67 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.006 acres (261 square feet), including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-24-001.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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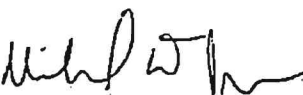
Page 3 of 3

Rev. 06/09

This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.



Burgess and Niple, Inc.

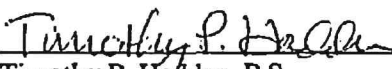


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.





Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

EXHIBIT A

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Ver. Date 10/29/2018

PID 96832

**PARCEL 1079-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the **Greater Cleveland Regional Transit Authority**, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part of Original One Hundred Acre Lot Number 402 as shown in "Map of Cuyahoga County, Ohio" showing the Original Township Lots by Albert S. Porter, County Engineer (M-3760) of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in AFN #200604040759 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (width varies) as described as Parcel 1079-WD as conveyed to the State of Ohio, Department of Transportation as described in AFN #201611300368 at 71.00 feet Right of the existing centerline of E. 105th Street at station 38+46.72;

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THENCE with said East Right of Way line of E. 105th Street and Parcel 1079-WD, **North 01 Degrees 05 Minutes 44 Seconds West**, for a distance of **32.19 feet** at 71.00 feet Right the existing centerline of E. 105th Street at station 38+78.92, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with said East Right of Way line of E. 105th Street and Parcel 1079-WD, **North 01 Degrees 05 Minutes 44 Seconds West**, for a distance of **40.03 feet** at 71.00 feet Right of the existing centerline of E. 105th Street at station 39+18.95;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 87 Degrees 55 Minutes 37 Seconds East**, for a distance of **8.42 feet** at 79.42 feet Right of the existing centerline of E. 105th Street at station 39+19.09;
- 2) **South 01 Degree 49 Minutes 52 Seconds East**, for a distance of **40.10 feet** at 79.93 feet Right of the existing centerline of E. 105th Street at station 38+78.99;
- 3) **South 88 Degrees 24 Minutes 38 Seconds West**, for a distance of **8.93 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.008 acres (348 square feet), including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-19-006.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.

Burgess and Niple, Inc.



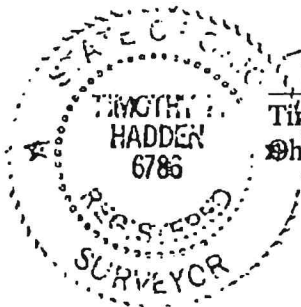
11/1/2018

Michael D. Jones, P.S.
Ohio Reg. No. 8459

Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.



11/01/18

Timothy P. Hadden, P.S.
Ohio Reg. No. 6786

Date

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Ver. Date 5/25/2017

PID 96832

**PARCEL 1080-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 401, Township 7, Range 12 of The Connecticut Western Reserve and being part of Lot A as shown in Consolidation Plat for The Cleveland Clinic Foundation as recorded in Plat Volume 283, Page 86 of the Cuyahoga County Records. The herein described parcel lies on the left side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30-33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION AN OHIO NOT FOR PROFIT CORPORATION A.K.A. THE CLEVELAND CLINIC A CORPORATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION, A CORPORATION, A.K.A. THE CLEVELAND CLINIC, AN OHIO CORPORATION, A.K.A. THE CLEVELAND CLINIC FOUNDATION" (hereafter referred to as Grantor) as described in Plat Volume 283, Page 86, Deed Volume 14890, Page 919, Deed Volume 14869, Page 265, Volume 84-4987, Page 1, Volume 84-4986, Page 68, Volume 84-4986, Page 29-53 inclusive, Deed Volume 14813, Page 249, Deed Volume 14859, Page 813, Deed Volume 14900, Page 343 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the West Right of Way line of E. 105th Street (Width Varies) as

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described in Parcel 1080-WD2 as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300370, also being the Grantor's East lands at 52.00 feet Left of the existing centerline of E. 105th Street at station 46+44.40;

THENCE with the West Right of Way line of E. 105th Street and Parcel 1082-WD2, and the Grantor's East line, **South 01 Degrees 05 Minutes 44 Seconds East**, for a distance of **43.86 feet** at 52.00 feet Left of the existing centerline of E. 105th Street at station 46+00.55, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the West Right of Way line of E. 105th Street and Parcel 1082-WD, and the Grantor's East line, **South 01 Degrees 05 Minutes 44 Seconds East**, for a distance of 39.01 feet at 52.00 feet left of the existing centerline of E. 105th Street at station 45+61.54;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 89 Degrees 44 Minutes 13 Seconds West**, for a distance of **6.30 feet** to 58.30 feet Left of the existing centerline of E. 105th Street at station 45+61.68;
- 2) **North 00 Degrees 15 Minutes 47 Seconds East**, for a distance of **39.00 feet** to 57.37 feet Left of the existing centerline of E. 105th Street at station 46+00.67;
- 3) **South 89 Degrees 44 Minutes 13 Seconds East**, for a distance of **5.38 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.005 acres (218 square feet) more or less, including 0.000 acres in the present road occupied (PRO), lying in Cuyahoga County Auditor's parcel number 119-18-001.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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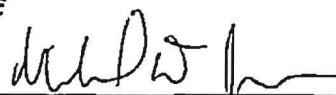
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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.



Burgess and Niple, Inc.

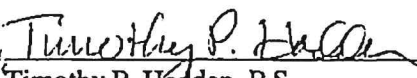


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.





Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

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Ver. Date 5/25/2017

PID 96832

**PARCEL 1082-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part lot number 7, inclusive of the Partition of the Estate of Job Doan's as described in the Court of Common Pleas Court Records in Volume 15, Page 284 of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "CLEVELAND CLINIC FOUNDATION, INC., A.K.A. CLEVELAND CLINIC FOUNDATION" (hereafter referred to as Grantor) as described in AFN 200004140296 and Volume 85-1262, Page 44 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (Width Varies) as described in Parcel 1082-WD as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300372, and also being the Grantor's West line at 45.00 feet Right of the existing centerline of E. 105th Street at station 48+01.21;

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THENCE with the East Right of Way line of E. 105th Street and Parcel 1082-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **85.43 feet** at 45.00 feet Right of the existing centerline of E. 105th Street at station 48+86.63, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the East Right of Way line of E. 105th Street and Parcel 1082-WD, **North 01 Degree 05 Minutes 10 Seconds West**, for a distance of **31.00 feet** at 45.00 feet Right of the existing centerline of E. 105th Street at station 49+17.63;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 88 Degrees 42 Minutes 00 Seconds East**, for a distance of **3.77 feet** at 48.77 feet right of the existing centerline of E. 105th Street at station 49+17.65;
- 2) **South 01 Degree 18 Minutes 00 Seconds East**, for a distance of **31.00 feet** to 48.88 feet Right of the existing centerline of E. 105th Street at station 48+86.65;
- 3) **South 88 Degrees 42 Minutes 00 Seconds West**, for a distance of **3.88 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above described parcel contains 0.003 acres total (131 square feet), including 0.000 acres in the present road occupied (PRO), in Cuyahoga County Auditor's parcel number 119-20-034.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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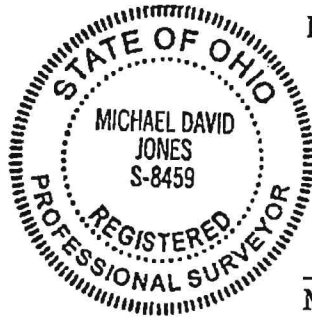
EXHIBIT A

RX 271 SHV

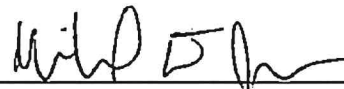
Page 3 of 3

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.

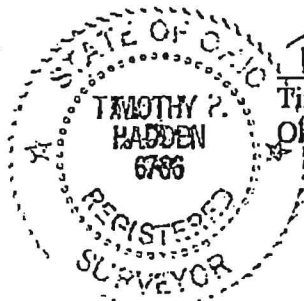


Burgess and Niple, Inc.


Michael D. Jones, P.S. 6/28/2017
Ohio Reg. No. 8459 Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.



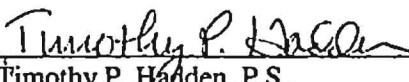

Timothy P. Hadden, P.S. 6/26/17
Ohio Reg. No. 6786 Date

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Ver. Date 6/21/2017

PID 96832

**PARCEL 1088-SHV
CUY-10-21.49
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Cuyahoga, City of Cleveland and being located in Original One Hundred Acre Lot No. 402, Township 7, Range 12 of The Connecticut Western Reserve and being part of Original One Hundred Acre Lot Number 402 as shown in "Map of Cuyahoga County, Ohio" showing the Original Township Lots by Albert S. Porter, County Engineer (M-3760) of the Cuyahoga County Records. The herein described parcel lies on the right side of existing E. 105th Street. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for CUY-10-21.49, as recorded in Plat Book 376, Pages 30 - 33 of the Cuyahoga County Records. Being part of lands conveyed to the Grantor "THE CLEVELAND CLINIC FOUNDATION, AN OHIO NON-PROFIT CORPORATION" (hereafter referred to as Grantor) as described in Volume 98-07599, Page 11 and Parcel "A" of Plat Book 386, Page 4 also of the Cuyahoga County Records and being more particularly described as follows:

COMMENCING at an Iron Pin Found with a 2" aluminum cap stamped "ODOT RW, PS NO. 7664, BURGESS & NIPLE" on the East Right of Way line of E. 105th Street (Width Varies) as described in Parcel 1088-WD as conveyed to the State of Ohio, Department of Transportation as recorded in AFN #201611300376, also being the on Grantor's South line and the North line of lands conveyed to the Cleveland Electric Illuminating Company, a corporation, at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+31.55;

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THENCE with the East Right of Way line of E. 105th Street and Parcel 1088-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **6.64 feet** at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+38.19, also being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the East Right of Way line of E. 105th Street and Parcel 1088-WD, **North 01 Degrees 05 Minutes 10 Seconds West**, for a distance of **32.01 feet** at 37.00 feet Right of the existing centerline of E. 105th Street at station 52+70.20;

THENCE through the Grantor's lands the following three (3) courses:

- 1) **North 87 Degrees 23 Minutes 00 Seconds East**, for a distance of **3.70 feet** at 40.70 feet Right of the existing centerline of E. 105th Street at station 52+70.30;
- 2) **South 02 Degrees 37 Minutes 00 Seconds East**, for a distance of **32.00 feet** at 41.55 feet Right of the existing centerline of E. 105th Street at station 52+38.31;
- 3) **South 87 Degrees 23 Minutes 00 Seconds West**, for a distance of **4.55 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above described parcel contains 0.003 acres total (131 square feet), including 0.000 acres in the present road occupied (PRO), in Cuyahoga County Auditor's parcel number 119-20-035.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations and are based on the CUY-10-21.49 Project Control (Original PID 77333 and now known as PID 96832) and expressed on the said Right-of-Way plans and Centerline Plat prepared by Burgess & Niple for the Ohio Department of Transportation, by a 1" Iron Pin Found in a monument box at the centerline intersection of Quincy Avenue with E. 105th Street and a Stone found with a drill hole in a monument box on the centerline of E. 105th Street on the southerly line of Cedar Avenue with a bearing of North 00 Degrees 44 Minutes 23 Seconds West, based on Ohio State Plane North Zone 3401, NAD83(CORS96) datum. All distances recited are ground distances.

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This description was prepared by Burgess & Niple, under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys, centerline and boundary monument locations performed and certified by CT Consultants, beginning in September, 2013.

Burgess and Niple, Inc.



Michael D. Jones

Michael D. Jones, P.S.
Ohio Reg. No. 8459

6/28/2017

Date

The location of all existing survey monuments used to determine centerlines, rights-of-way, and property lines as referenced herein were located in the field between September, 2013 and October, 2013 by CT Consultants, Inc. under the direct supervision of Timothy P. Hadden, Ohio Registered Surveyor No. 6786 and are based upon CUY-10-21.49 (Opportunity Corridor, Original PID 77333 and now known as PID 96832) primary project control coordinates initially submitted by Burgess & Niple and dated June 6, 2012.

CT Consultants, Inc.



Timothy P. Hadden

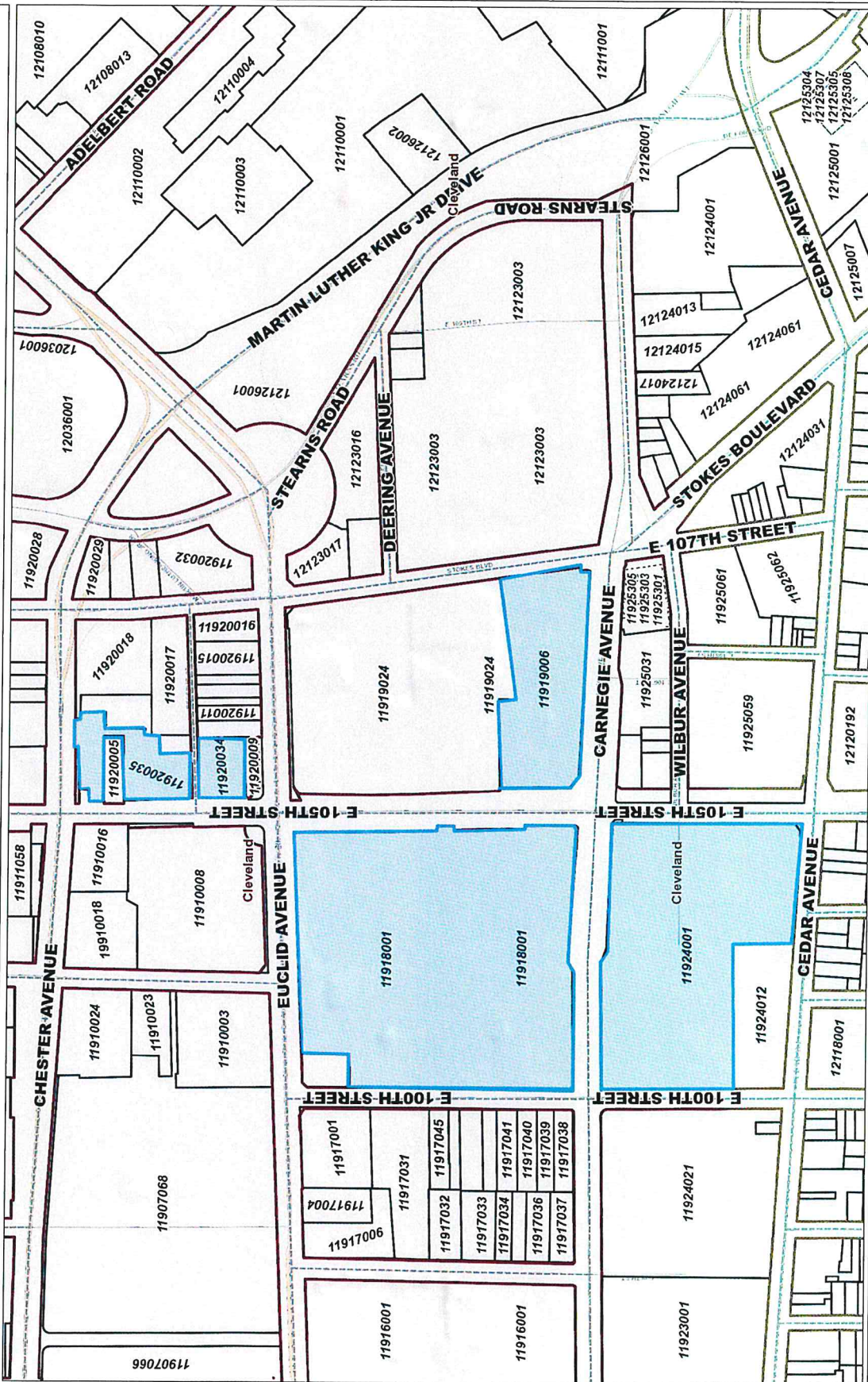
Timothy P. Hadden, P.S.
Ohio Reg. No. 6786

6/26/17

Date



ATTACHMENT C



	0	282	564 Feet
564			

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

THIS MAP IS NOT TO BE USED FOR NAVIGATION
current, or otherwise reliable.



Date Created: 12/5/2019

Legend

- ☐ Municipalities
☒ Point Parcels
☐ Air Parcels
 — Right Of Way
 - - - - - Platted Centerlines
☐ Parcels

1:3,383



Cuyahoga County —
Enterprise GIS