

ORDINANCE NO. 72-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC TO PERFORM
RIGHT-OF-WAY ACQUISITION SERVICES FOR THE CHESTER ROAD
WIDENING PHASE 3 & PHASE 5A PROJECTS
AND DECLARING AN EMERGENCY**

WHEREAS, due to increased traffic volumes and continued adjacent development activities along the Chester Road corridor west of State Route 83, the City of Avon recognizes that capacity improvements are needed to the extent possible to maintain safe travel conditions for its residents and the traveling public; and

WHEREAS, the City of Avon has elected to pursue a phased approach to widen the Chester Road Corridor between State Route 611 (Colorado Avenue) its western extent and Nagel Road its eastern extent; and

WHEREAS, Chester Road widening projects known as Project “J”, Project “K”, & the Widening at SR83 (Walmart Section) were completed nine years ago and improved the section of Chester Road between State Route 83 and Jaycox Road; and

WHEREAS, Chester Road widening projects known as Phase 1 & Phase 2 were completed in 2020 and 2024 respectively to widen and improve sections of Chester Road between State Route 83 and American Way West; and

WHEREAS, the City Engineer, in conjunction with Chagrin Valley Engineering, Ltd. has now prepared plans and specifications to improve two additional sections of Chester Road between Moore Road and American Way West via the now proposed Phase 3 & Phase 5A Projects; and

WHEREAS, the Chester Road Widening Phase 3 Project seeks to improve Chester Road by widening it to a consistent three lane wide section of pavement, in addition to improvements to water distribution, storm sewer drainage, and sidewalks along a section of Chester Road approximately 2,400 feet in length beginning at Moore Road in the west and ending at the eastern extent of the currently proposed Chester Commons (Petros) Development in the east; and

WHEREAS, the Chester Road Widening, Phase 5A Project seeks to improve drainage and water distribution systems along a section of Chester Road approximately 1,100 feet in length beginning at the currently proposed Villas at Chester Commons (Petros) Development in the west and ending at American Way West in the east (Note: A future roadway/pavement widening project will be known as Phase 5); and

WHEREAS, to construct the proposed Phase 3 and Phase 5A (along with the eventual Phase 5 project) the City Engineer has determined that property rights must be acquired to create an expanded public right-of-way to accommodate the aforementioned public improvements and appurtenances thereto; and

WHEREAS, based upon a proven track record of expertise, including many successfully completed projects within the City of Avon, a proposal to perform right-of-way acquisition services was obtained from O.R. Colan Associates, LLC, a copy of which is attached hereto as Exhibit A, which was reviewed by the City Engineer and found to be responsive to the project scope and reflecting unit task rates in line with like services performed for other similar projects; and

WHEREAS, City Council has reviewed the proposal for professional right-of-way acquisition services submitted by O.R. Colan Associates, LLC and finds it to be in the best interests of the health, safety, and welfare of the citizens of Avon in facilitating the acquisition of property rights needed for the construction of the Chester Road Widening Phase 3 Project and the Chester Road Widening Phase 5A Project together with all appurtenances thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized to execute a contract with O.R. Colan Associates, LLC for right-of-way acquisition services related to the Chester Road Widening Phase 3 Project and the Chester Road Widening Phase 5A Project in substantially the form as set forth in the attached Exhibit A, which when finalized, shall be incorporated herein and made a part of this ordinance.

Section 2 - Payment in the amount up to **Ninety Thousand Three Hundred Thirty-Five Dollars and 00/100 Cents (\$90,335.00)** shall be made from Chester Road Phase 3 - Fund No. 477 and Chester Road 5A - Fund No. 486.

Section 3 - That it is found and determined that all formal actions of this Council of the City of Avon concerning and relating to the passage of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to secure property rights to facilitate project construction during the 2026 construction season; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: August 11, 2025

DATE SIGNED: August 11, 2025

By: Brian Fischer
Brian Fischer, President of Council

Ordinance No. 72-25 (Con't.)

DATE APPROVED BY THE MAYOR August 12, 2025


Bryan K. Jensen, Mayor

APPROVED AS TO FORM:


John A. Gasior, Law Director

ATTEST:


Barbara Brooks, Clerk of Council

POSTED: August 13, 2025
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 72-25, passed by the Council of said City on August 11, 2025.

IN WITNESS WHEREOF, I have on this 13th day of August 2025, affixed my signature and official seal.


Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO ORDINANCE NO. 72-25
ORC® REAL ESTATE SOLUTIONS
FOR INFRASTRUCTURE

April 22, 2025

EXHIBIT A

Ryan Cummins, PE, CPESC
City of Avon, c/o Chagrin Valley Engineering, Limited
22999 Forbes Road – Suite B
Oakwood, Ohio 44146-5667
cummins@cvelimited.com

**Re: Right-of-Way Acquisition Services – Chester Road Phases 3 & 5A
Cost Proposal**

Dear Mr. Cummins:

O.R. Colan Associates (ORC) is pleased to provide a price proposal to perform turnkey Right of Way acquisition services for the **Chester Road Phases 3 & 5A** project. The services, scope and fees proposed are based on ORC following the Ohio Department of Transportation's (ODOT) Policy and Procedures related to property acquisition and fall with ODOT's Fee Guidance (July 2024).

Our price proposal is presented on a "per task/per parcel" basis and we have proposed services that include Project Management, Title Research, Appraisal, Negotiation and Closings. We will utilize the services of CP Braman for appraisal related activities. To assist, I have provided a breakdown within this proposal for all fees and the appraisal formats for each project parcel. I understand that certain properties may be removed due to ownership changes, therefore please understand that ORC will only bill the City for what is performed on a unit/task basis. Additionally, I have proposed mortgage releases should the be needed, however, we will not know this until title reports are completed. I've added these for planning purposes only to minimize a situation where we would need to request a modification.

ORC greatly appreciates the opportunity to propose for the needed R/W Acquisition on this project. If you have any questions or require further information, please do not hesitate to contact me at (440) 827-6116 ext. 205. I look forward to the opportunity to work together on this project.

Respectfully,



Benjamin Zera
Project Manager

cc: Project File
Joseph Almady, ORC

R/W Acquisition Cost Proposal

City of Avon - Chester Road Phase 3 and 5A

April 22, 2025

Parcel	Take Type	Owner Name	Appraisal Format	Mortgage Releases	PM Appraisal	Appraisal Fee	PM Title	Title Report	PM Negotiation	Negotiations	PM Closing	Informal Closing	Copying/ Recording Fees
1	U	Chester Properties, Ltd.	Value Finding	\$ 550.00	\$ 250.00	\$ 2,100.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
2	U	HTA Avon Hospital, LLC	Value Finding	\$ -	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
3	SH,U	Great Lakes Property Dev.	Value Finding	\$ 550.00	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
4	SH,U	Timber Lake Apartments, Ltd.	Value Finding	\$ -	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
5	SH,U	Taddeo	Value Finding	\$ 550.00	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
6	SH,U	Schwartz	Value Analysis	\$ -	\$ 250.00	\$ 770.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
7	SH,U	Pride One	Value Analysis	\$ -	\$ 250.00	\$ 770.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
8	SH,U	Benjamin	Value Finding	\$ 550.00	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
9	SH	Spirit Master Funding	Limited Summary	\$ -	\$ 250.00	\$ 3,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
10	SH	WF Auto of Avon	Value Finding	\$ -	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
11	SH	Timber Lake Apartments, Ltd.	Value Finding	\$ 550.00	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
12	SH	NCC Construction	Value Finding	\$ -	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
13	SH	Taddeo	Value Finding	\$ 550.00	\$ 250.00	\$ 1,750.00	\$ 250.00	\$ 700.00	\$ 250.00	\$ 2,350.00	\$ 250.00	\$ 500.00	\$ 125.00
13			13	\$ 3,300.00	\$ 3,250.00	\$ 23,140.00	\$ 3,250.00	\$ 9,100.00	\$ 3,250.00	\$ 30,550.00	\$ 3,250.00	\$ 6,500.00	\$ 1,625.00
				13	13	13	13	13	13	13	13	13	13
												Sub Total	\$ 90,335.00

