

ORDINANCE NO. 192-14

**AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT
EASEMENT AGREEMENTS FOR THE WEST SMITH ROAD
RECONSTRUCTION PROJECT (PARCELS #2, 5 & 11).**

WHEREAS: Ordinance No. 111-14, passed June 23, 2014 authorized the Fair Market Value Estimates for the West Smith Road Reconstruction Project.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF MEDINA, OHIO:**

SEC. 1: That the Mayor is hereby authorized to accept the Easement Agreements for the West Smith Road Reconstruction Project (Parcels #2, 5 & 11).

SEC. 2: That a copy of the Easement Agreements are marked Exhibit A, B, and C, attached hereto, and incorporated herein.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: November 24, 2014

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: November 25, 2014

SIGNED: Dennis Hanwell
Mayor

PROPERTY # Z
ONEC
WARDEN
DEED
8067462
TX:8055566
ORD. 192-14
EXH. A

2014OR018244
COLLEEN M. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

RBC FEE: 44.00
PAGES: 5
DOC TYPE: WD

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code. 9/11/2014
FEE \$ 1.00
EXEMPT 1A
MICHAEL E. KOVACK, Clerk Medina County Auditor

ODOT LPA RE 801
Rev. 09/2012

Warranty Deed
LPA

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT: Board of County Commissioners of Medina County, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release, with general warranty covenants, to said Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 2 WDV
MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
PARCEL NO. FOR REFERENCE ONLY AND WILL NOT BE VALID AFTER TRANSFER
Medina County Current Tax Parcel No. 029-19A-19-006
Prior Instrument Reference: Warranty Deed Volume 221, Page 155, Warranty Deed Volume 222, Page 52, Warranty Deed Volume 232, Page 136 and Plat Volume 7, Page 37-38, Medina County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, 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 same against all claims of all persons whomsoever.

The property conveyed herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed herein for the above-stated purpose, the Grantor(s) declines a right under Section 163.211 of the Revised Code to repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or

transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated or acquired by Grantee.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY

By: Pat Geissman
Patricia G. Geissman, President

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016

Laura J. Labak
NOTARY PUBLIC
My Commission expires: Aug. 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

RX 251 WDV

Page 1 of 2

Rev. 05/09

Ver. Date 12/17/2012

PID 81334

PARCEL 2-WDV AM
WEST SMITH ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

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 Medina, City of Medina, and known as being part of Medina City Lot 1839, and being part of an original parcel conveyed on February 06, 1956 to Board of Commissioners of Medina County by Deed Volume 232 Page 136 of the Medina County Recorders Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline right of way of West Smith Road a distance of 1445.46 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the existing northerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 36 degrees 22 minutes 25 seconds East a distance of 32.82 feet to an Iron Pin Set;
2. thence North 89 degrees 11 minutes 47 seconds East a distance of 35.93 feet to an Iron Pin Set;
3. thence South 00 degrees 48 minutes 13 seconds East a distance of 26.15 feet to an Iron Pin Set at existing northerly right of way line of West Smith Road;
4. thence South 89 degrees 11 minutes 47 seconds West along said right of way line a distance of 55.76 feet to the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 029-19A-19-006 and contains a gross take of 0.0275 acres more or less.

EXHIBIT A

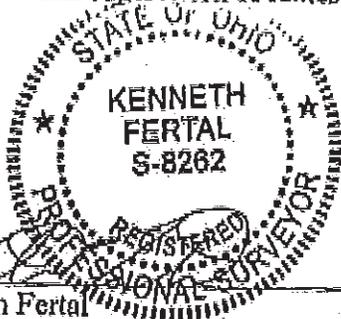
RX 251 WDV

Page 2 of 2
Rev. 05/09

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



PPN: 029-19A-23-012

12/17/2012
Date

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

Legal Approved
Date 1-7-2013
By Beth G. Niska

ORD. 192-14
EXH. A



8 0 6 7 4 6 4
Tx:8055566

PROPERTY #2

THREE (3)
TEMPORARY
EASEMENTS

2014OR018245

COLLEEN H. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

REC FEE: 76.00
PAGES: 9
DOC TYPE: EASE

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

ODOT LPA RE 807
Rev. 09/2012

TE
LPA

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Board of County Commissioners of Medina County, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 2 TV, TV-1, TV-2
MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Medina County Current Tax Parcel No. 029-19A-19-006
Prior Instrument Reference: Warranty Deed Volume 221, Page 155, Warranty Deed Volume 222, Page 52, Warranty Deed Volume 232, Page 136 and Plat Volume 7, Page 37-38, Medina County Recorder's Office.

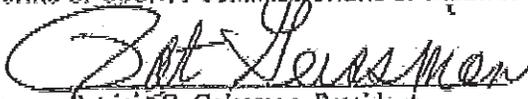
To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY


By: Patricia G. Geissman, President

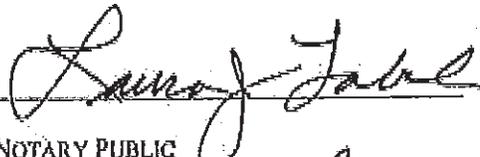
STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016


NOTARY PUBLIC
My Commission expires: Aug. 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

RX 287 TV

Page 1 of 2

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

PARCEL 2-TV AM
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING DRIVE AND GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Medina City Lot 1839 and being part of an original parcel conveyed on February 06, 1956 to Board of Commissioners of Medina County by Deed Volume 232 Page 136 of the Medina County Recorders Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline right of way of West Smith Road a distance of 1976.23 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the intersection of the existing northerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 00 degrees 48 minutes 13 seconds West a distance of 5.00 feet to a point;
2. thence North 89 degrees 11 minutes 47 seconds East a distance of 48.00 feet to a point;
3. thence South 00 degrees 48 minutes 13 seconds East a distance of 5.00 feet to a point and the existing northerly right of way line of West Smith Road;
4. thence South 89 degrees 11 minutes 47 seconds West along said right of way line a distance of 48.00 feet to a point and the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 029-19A-19-006 and contains a gross take of 0.0055 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (COR896).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

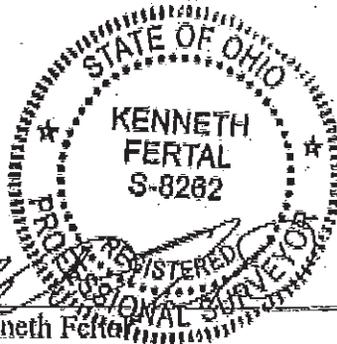
EXHIBIT A

RX 287 TV

Page 2 of 2

Rev. 06/09

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



12/17/2012
Date

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

EXHIBIT A

RX 287 TV

Page 1 of 2

Rev. 06/09

Var. Date 12/17/2012

PID 81334

**PARCEL 2-TV1 AM
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING DRIVE, WALK AND GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being Part of Medina City Lot 1839 and being part of an original parcel conveyed on February 06, 1956 to Board of Commissioners of Medina County by Deed Volume 232 Page 136 of the Medina County Recorders Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 1495.20 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the intersection of the existing northerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 51 degrees 33 minutes 48 seconds East a distance of 37.67 feet to a point;
2. thence North 89 degrees 11 minutes 47 seconds East a distance of 22.86 feet to a point;
3. thence South 15 degrees 27 minutes 52 seconds West a distance of 11.62 feet to a point;
4. thence North 89 degrees 11 minutes 47 seconds East a distance of 49.55 feet to a point;
5. thence South 00 degrees 48 minutes 13 seconds East a distance of 8.00 feet to an Iron Pin Set;
6. thence South 89 degrees 11 minutes 47 seconds West a distance of 35.93 feet to an Iron Pin Set;
7. thence South 36 degrees 22 minutes 25 seconds West along said right of way line a distance of 32.82 feet to the existing northerly right of way line of West Smith Road;
8. thence South 89 degrees 11 minutes 47 seconds West along said right of way line a distance of 49.73 feet to the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 029-19A-19-006 and contains a gross take of 0.0334 acres more or less.

EXHIBIT A

Page 2 of 2

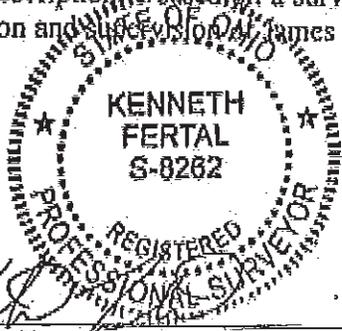
Rev. 06/09

RX 287 TV

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.




Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

EXHIBIT A

RX 287 TV

Page 1 of 2

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

**PARCEL 2-TV2 A¹
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING DRIVE, WALK AND GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Medina City Lot 1839 and being part of an original parcel conveyed on February 06, 1956 to Board of Commissioners of Medina County by Deed Volume 232 Page 136 of the Medina County Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 1389.70 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the intersection of the existing northerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 00 degrees 48 minutes 13 seconds West along a proposed right of way line a distance of 23.00 feet to a point;
2. thence North 89 degrees 11 minutes 47 seconds East a distance of 25.66 feet to a point;
3. thence South 66 degrees 34 minutes 04 seconds East a distance of 21.92 feet to a point;
4. thence North 89 degrees 11 minutes 47 seconds East a distance of 117.94 feet to a point;
5. thence South 85 degrees 37 minutes 14 seconds East a distance of 77.49 feet to a point;
6. thence North 57 degrees 53 minutes 20 seconds East a distance of 21.36 feet to a point;
7. thence North 89 degrees 11 minutes 47 seconds East a distance of 28.84 feet to a point and the westerly line of Medina City Lot 9118;
8. thence South 00 degrees 04 minutes 03 seconds East along said easterly line a distance of 18.10 feet to the existing northerly right of way line of West Smith Road;
9. thence South 89 minutes 11 minutes 47 seconds West a distance of 287.62' along said right of way line to the intersection of the existing northerly right of way line and the proposed right of way line and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 029-19A-19-006 and contains a gross take of 0.0957 acres more or less.

EXHIBIT A

RX 287 TV

Page 2 of 2

Rev. 06/09

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.




Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

Ord. 192-14
Exh. B



8 0 6 7 4 6 5
Tx:8055566

ONE(1)
WADDACCP
DEED

2014OR018246

COLLEEN M. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

REC FEE: 60.00
PAGES: 7
DOC TYPE: WD

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.

9/11/2014

FEE \$ _____

EXEMPT A

Michael E. Koucek, ODJ, Medina County Auditor

ODOT LPA RE 801
Rev. 09/2012

Warranty Deed
LPA

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT: The Board of County Commissioners of Medina County, Ohio, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release, with general warranty covenants, to said Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 5 WDV, WDV-1

MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

THE PARCEL NOS. LISTED BELOW ARE FOR REFERENCE ONLY AND

MEDINA COUNTY CURRENT TAX PARCEL NO. 028-19C-04-001 AND 028-19C-04-003 WILL NOT BE VALID AFTER TRANSFER.
Prior Instrument Reference: Warranty Deed Volume 133, Page 189, Plat Volume 8, Page 20, Warranty Deed Volume 190, Page 536, Plat Volume 6, Page 109 and Plat Volume 9, Page 42, Medina County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, 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 same against all claims of all persons whomsoever.

The property conveyed herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed herein for the above-stated purpose, the Grantor(s) declines a right under Section 163.211 of the Revised Code to repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or

transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated or acquired by Grantee.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY

By: Pat. Geissman
Patricia G. Geissman, President

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016

Laura J. Labak
NOTARY PUBLIC
My Commission expires: Aug. 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

Page 1 of 2

Rev. 05/09

RX 251 WDV

Ver. Date 12/17/2012

PID 81334

JLH

PARCEL 5-WDV
WEST SMITH ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

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 Medina, City of Medina, and known as being part of Medina City Lot No. 1744 and being part of a parcel conveyed on July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 190 Page 536, of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 349.75 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along said existing right of way line a distance of 76.67 feet to an Iron Pin Set;
2. thence South 00 degrees 48 minutes 13 seconds East a distance of 8.00 feet to an Iron Pin Set;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 76.79 feet to said grantor's westerly property line and an Iron Pin Set;
4. thence North 00 degrees 03 minutes 47 seconds East along said westerly line a distance of 8.00 feet to an Iron Pin Set and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-001 and contains a gross take of 0.0141 acres more or less.

EXHIBIT A

RX 251 WDV

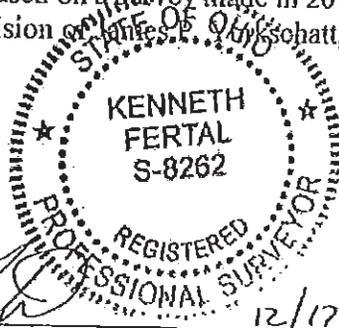
Page 2 of 2

Rev. 05/09

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Gyschatt, Professional Land Surveyor Number 7809.



PPN: 028-19C-04-129


Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

Legal Approved

Date 1-8-2013

By Beth Mika

EXHIBIT A

RX 251 WDV

Page 1 of 2

Rev. 05/09

Ver. Date 12/17/2012

PID 81334

PARCEL 5-WDV1
WEST SMITH ROAD

ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

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 Medina, City of Medina, and known as being part of Medina City Lot No. 2218 and being part of a parcel conveyed on August 05, 1935 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 133 Page 189, of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence North 89 degrees 00 minutes 43 seconds East along the centerline survey of West Smith Road a distance of 43.36 feet; thence South 00 degrees 59 minutes 17 seconds East a distance of 30.00 feet to the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 00 minutes 43 seconds East along said existing right of way line a distance of 7.00 feet to an Iron Pin Set;
2. thence South 00 degrees 59 minutes 17 seconds East a distance of 5.00 feet to an Iron Pin Set;
3. thence South 89 degrees 00 minutes 43 seconds West a distance of 7.00 feet to an Iron Pin Set;
4. thence North 00 degrees 59 minutes 17 seconds West a distance of 5.00 feet to an Iron Pin Set and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-003 and contains a gross take of 0.0008 acres more or less.

EXHIBIT A

RX 251 WDV

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.

PPN: 028-19C-04-127




Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

Legal Approved
Date 1-8-2013
By Beth Miller

Ord. 192-14
Exh. B



Two (2)
PERMANENT
EASEMENT

2014OR018247

COLLEEN M. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

REC FEE: 60.00
PAGES: 7
DOC. TYPE: EASE

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT).

EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: The Board of County Commissioners of Medina County, Ohio, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns forever, an easement, which is more particularly described in Exhibit A attached hereto, within the following described real estate:

PARCEL(S): 5 SV, AV

MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Medina County Current Tax Parcel No: 028-19C-04-001 and 028-19C-04-003
Prior Instrument Reference: Warranty Deed Volume 133, Page 189, Plat Volume 8, Page 20, Warranty Deed Volume 190, Page 536, Plat Volume 6, Page 109 and Plat Volume 9, Page 42, Medina County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, 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 same against all claims of all persons whomsoever.

The property conveyed herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed herein for the above-stated purpose, the Grantor(s) has a right under Section 163.211 of the Revised Code to repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or

transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated or acquired by Grantee.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY

By: Patricia G. Geissman
Patricia G. Geissman, President

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of AUGUST, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016

Laura J. Labak

NOTARY PUBLIC
My Commission expires:

Aug 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

Page 1 of 2

RX 277 SV

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

JL

PARCEL 5-SV
WEST SMITH ROAD
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A SEWER
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

A perpetual easement for the construction and maintenance of a sewer in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (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 Medina, City of Medina, and known as being part of Medina City Lot No. 1744 and being a part of parcel conveyed on July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 190 Page 536 of the Medina County Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline right of way of West Smith Road a distance of 204.14 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East a distance of 13.50 feet to a point;
2. thence South 00 degrees 48 minutes 13 seconds East a distance of 8.00 feet to a point;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 13.50 feet to a point;
4. thence North 00 degrees 48 minutes 13 seconds West a distance of 8.00 feet to a point and the intersection the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-001 and contains a gross take of 0.0025 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

EXHIBIT A

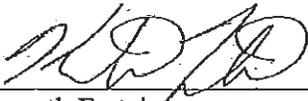
Page 2 of 2

RX 277 SV

Rev. 06/09

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

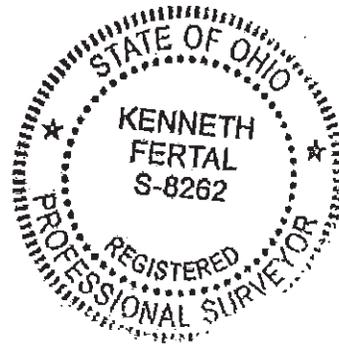


EXHIBIT A

RX-285 AV

PARCEL
PID

Page 1 of 2
Rev. 07/11
81334

Ver. Date 12/17/2012

PARCEL 5-AV
WEST SMITH ROAD

DLA

PERPETUAL AERIAL EASEMENT
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

A perpetual easement to construct, operate, maintain and replace a traffic signal, above the following described property.

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as Medina City Lot No. 1744 and 2218 and being a part of two parcels conveyed on August 05, 1935 and July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 133 Page 189 and Deed Volume 190 Page 536 of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 11.03 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along existing right of way line a distance of 11.12 feet;
2. thence North 89 degrees 00 minutes 43 seconds East along existing right of way line a distance of 43.36 feet;
3. thence South 00 degrees 59 minutes 17 seconds West a distance of 5.00 feet;
4. thence South 89 degrees 00 minutes 43 seconds West a distance of 54.50 feet;
5. thence North 00 degrees 59 minutes 17 seconds West a distance of 5.04 feet to the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

Of the above described gross aerial take of 0.0063 acres more or less, 0.005 acres are located in Medina County Auditor's Permanent Parcel Number 028-19C-04-001 and 0.0013 acres are located in Medina County Auditor's Permanent Parcel Number 028-19C-04-003.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

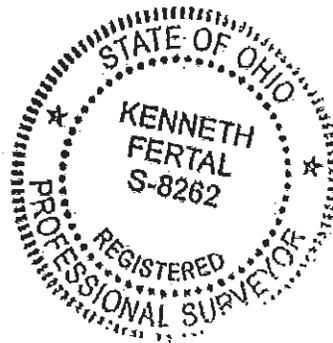
This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Surveyor Number 7809.



Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date



Ord. 192-14
Exh. B



8 0 6 7 4 6 8
Tx:8055566

PROPERTY # 5

THREE (3)
TEMPORARY
EASEMENTS

2014OR018248

COLLEEN M. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

REC FEE: 76.00
PAGES: 9
DOC TYPE: EASE

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: The Board of County Commissioners of Medina County, Ohio, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 5 TV, TV-1, TV-2
MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Medina County Current Tax Parcel No. 028-19C-04-001 and 028-19C-04-003
Prior Instrument Reference: Warranty Deed Volume 133, Page 189, Plat Volume 8, Page 20, Warranty Deed Volume 190, Page 536, Plat Volume 6, Page 109 and Plat Volume 9, Page 42, Medina County Recorder's Office.

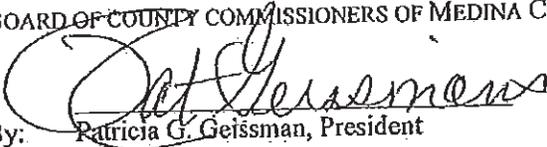
To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY

By: 
Patricia G. Geissman, President

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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:

Aug 2, 2016



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

Page 1 of 2

RX 287 TV

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

DKA

PARCEL 5-TV
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING DRIVE AND GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Medina City Lot No. 1744 and being a part of parcel conveyed on July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 190 Page 536, of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet; and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 1275.46 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the intersection of the existing southerly right of way line of West Smith Road and westerly property line of Medina City Lot 1744 and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along said existing right of way line a distance of 83.06 feet to a point;
2. thence South 28 degrees 15 minutes 21 seconds West a distance of 30.89 feet to a point;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 25.52 feet to a point;
4. thence North 32 degrees 08 minutes 21 seconds West a distance of 25.76 feet to a point;
5. thence South 89 degrees 11 minutes 47 seconds West a distance of 29.20 feet to a point and the westerly property line;
6. thence North 00 degrees 08 minutes 05 seconds West along westerly line a distance of 5.00 feet to a point and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-001 and contains a gross take of 0.0287 acres more or less.

EXHIBIT A

Page 2 of 2

RX 287 TV

Rev. 06/09

All Bearings are relative to grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.




Kenneth Fertal

12/17/2012
Date

Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

EXHIBIT A

Page 1 of 2

Rev. 06/09

RX 287 TV

Ver. Date 12/17/2012

PID 81334

dl

PARCEL 5-TV1
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING CURB
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Medina City Lot No. 1744 and being part of a parcel conveyed on July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 190 Page 536, of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 273.09 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the intersection of the proposed easterly right of way line and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along said existing right of way line a distance of 68.94 feet to a point;
2. thence South 00 degrees 48 minutes 13 seconds East a distance of 8.00 feet to a point;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 68.94 feet to a point;
4. thence North 00 degrees 48 minutes 13 seconds West a distance of 8.00 feet to a point and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-001 and contains a gross take of 0.0127 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

EXHIBIT A

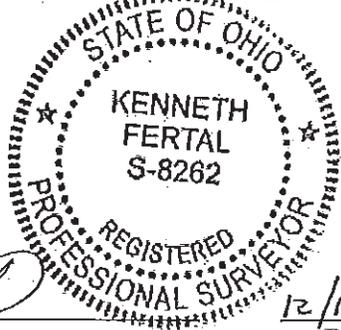
Page 2 of 2

RX 287 TV

Rev. 06/09

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



A handwritten signature in black ink, appearing to read "K. Fertal", written over a horizontal line.

12/17/2012
Date

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

EXHIBIT A

Page 1 of 2

RX 287 TV

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

PARCEL 5-TV2
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE DRIVE AND CURB
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Medina City Lot No. 1744 and being part of a parcel conveyed on July 22, 1950 to The Board of County Commissioners of Medina County, Ohio by Deed Volume 190 Page 536, of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 190.64 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the intersection of the temporary southerly right of way line and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along said existing right of way line a distance of 234.09 feet to a point;
2. thence South 00 degrees 48 minutes 13 seconds East a distance of 8.14 feet to a point;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 234.09 feet to a point;
4. thence North 00 degrees 48 minutes 13 seconds West a distance of 8.00 feet to a point and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Numbers 028-19C-04-001, 028-19C-04-003 and contains a gross take of 0.0434 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

EXHIBIT A

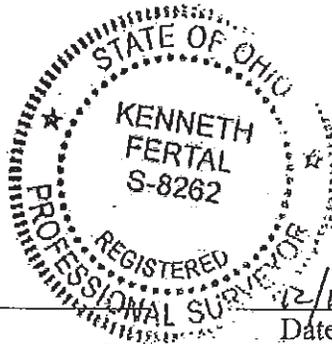
Page 2 of 2

RX 287 TV

Rev. 06/09

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



A handwritten signature in black ink, appearing to read "K. Fertal".

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

Ord. 192-14
Exh. C

PROPERTY # 17



ONE (1)
WARRANTY
DEED

8 0 6 7 4 6 9
Tx: 8055566

2014OR018249

COLLEEN M. SWEDYK
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
09/11/2014 12:02 PM

REC FEE: 44.00
PAGES: 5
DOC TYPE: WD

MEDINA COUNTY RECORDER

COLLEEN M. SWEDYK

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code. 9/11/2014
FEE \$ 1.00
EXEMPT A
Michael E. Kovack, *DA* Medina County Auditor

ODOT LPA RE 801
Rev. 09/2012

Warranty Deed
LPA

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT: Medina County Commissioners, the Grantor(s) herein, in consideration of the sum of \$0.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release, with general warranty covenants, to said Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 11 WDV

MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
PARCEL NO. FOR REFERENCE ONLY AND WILL NOT BE
Medina County Current Tax Parcel No. 028-19C-04-009 VALID AFTER TRANSFER.
Prior Instrument Reference: Warranty Deed Instrument No. 1998OR001028, Medina County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, 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 same against all claims of all persons whomsoever.

The property conveyed herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed herein for the above-stated purpose, the Grantor(s) declines a right under Section 163.211 of the Revised Code to repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or

transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated or acquired by Grantee.

IN WITNESS WHEREOF Patricia G. Geissman, President of the Board of County Commissioners of Medina County, pursuant to a resolution passed on August 19, 2014, has hereunto subscribed her name on the 19th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY

By: Patricia G. Geissman
Patricia G. Geissman, President

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 19 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Patricia G. Geissman, who acknowledged being the President of the Board of County Commissioners of Medina County and who acknowledged the foregoing instrument to be the voluntary act and deed of the Board of County Commissioners of Medina County.

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



LAURA J. LABAK
Notary Public - State of Ohio
My Commission Expires
August 2, 2016

Laura J. Labak

NOTARY PUBLIC
My Commission expires:

Aug. 2, 2016

This document was prepared by: the City of Medina.

EXHIBIT A

RX 251 WDV

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Rev. 05/09

Ver. Date 12/17/2012

PID 81334

**PARCEL 11-WDV AM
WEST SMITH ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

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 Medina, City of Medina, and known as being part of Medina City Lot No. 1743 and being part of parcel conveyed on June 05, 1998 to Medina County Commissioners by Document No. 1998OR001028 of the Medina County Recorders Records and being a parcel of land lying on the right side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence South 89 degrees 11 minutes 47 seconds West along the centerline of right of way of West Smith Road a distance of 463.42 feet; thence South 00 degrees 48 minutes 13 seconds East a distance of 30.00 feet to the existing southerly right of way line of West Smith Road and being the northwest corner of Medina City Lot 1743 the **TRUE POINT OF BEGINNING**.

1. thence North 89 degrees 11 minutes 47 seconds East along said existing right of way line a distance of 113.67 feet to an Iron Pin Set;
2. thence South 00 degrees 03 minutes 47 seconds West along the easterly line of Medina City Lot 1743 a distance of 8.00 feet to an Iron Pin Set;
3. thence South 89 degrees 11 minutes 47 seconds West a distance of 113.66 feet to an Iron Pin Set and the west line of said Lot 1743;
4. thence North 00 degrees 01 minutes 05 seconds West a distance of 8.00 feet to an Iron Pin Set and the existing southerly right of way line of West Smith Road and being the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19C-04-009 and contains a gross take of 0.0209 acres more or less.

EXHIBIT A

RX 251 WDV

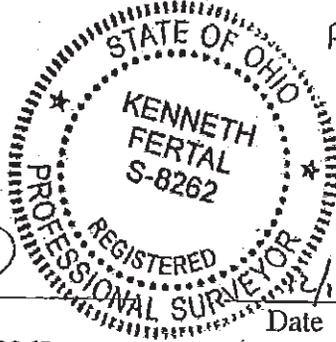
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All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



PPN: D28-19C-0A-131

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date

Legal Approved

Date 1-8-2013

By Scott Mikes