

**ORDINANCE NO. 66-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A RELEASE AND DISCHARGE OF EASEMENT FOR SIGNAL PURPOSES FOR TRC MEDINA SHOPPING CENTER INVESTORS LTD.**

**WHEREAS:** Ordinance No. 156-06, passed July 10, 2006, accepted the donated right-of-way from TRC Medina Shopping Center Investors for the Citywide Signalization Project, reference Medina County Recorder Instrument No. 2006OR017646; and

**WHEREAS:** The current US 42 Corridor Project includes relocation the signal at this location to the north, to a new main entrance for the shopping center, therefore the existing signal easement is no longer necessary.

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

**SEC. 1:** That the Mayor is authorized and directed to execute the Release and Discharge of Easement for Signal Purposes.

**SEC. 2:** That a copy of the Release and Discharge of Easement is marked Exhibit A, 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:** April 9, 2018

**SIGNED:** John M. Coyne, III  
President of Council

**ATTEST:** Kathy Patton  
Clerk of Council

**APPROVED:** April 9, 2018

**SIGNED:** Dennis Hanwell  
Mayor



Exhibit A

PARCEL 14-SHV  
IN AND FOR THE USE OF THE CITY OF MEDINA  
RESERVING ALL MINERAL RIGHTS TO TRC MEDINA SHOPPING CENTER  
INVESTORS, LTD. ADDITIONAL ROAD RIGHT-OF-WAY EASEMENT  
FOR SIGNAL UPGRADE

Situated in the City of Medina, County of Medina, State of Ohio and known as being part of Medina City Lot 8676 conveyed to TRC Medina Shopping Center Investors, LTD. in Document No. 2000OR026435 of Medina County Recorders Records dated 9/20/00 further bounded and described as follows:

Beginning at the intersection of the centerline of Harding Street (50 feet wide) and the centerline of S.R. 42, S.H. 25 North Court Street (80 feet wide);

Thence N 7<sup>0</sup> 48' 24" E, 241.93 feet along the centerline of said S.R. 42 to a southeast corner of Medina City Lot 8676 as recorded in Plat Document No. 2000PL000120 of Medina County Plat Records;

Thence N 82<sup>0</sup> 20' 40" W, 50.00 feet along the south line of said City Lot 8676 to a 5/8" rebar with cap stamped "Campbell & Assoc." found, said point being in the west right-of-way of said S.R. 18;

Thence N 7<sup>0</sup> 48' 24" E, 0.90 feet along the west right-of-way of said S.R. 42 to a drill hole or nail set at the principal place of beginning of the easement described herein;

Thence N 82<sup>0</sup> 11' 36" W, 30.00 feet to a 5/8" rebar with cap stamped "Cunningham-5274" set;

Thence N 7<sup>0</sup> 48' 24" E, 27.00 feet to a drill hole or nail set;

Thence S 82<sup>0</sup> 11' 36" E, 30.00 feet to a drill hole or nail in the west right-of-way of said S.R. 42;

Thence S 7<sup>0</sup> 48' 24" W, 27.00 feet along the west right-of-way of said S.R. 42 to the principal place of beginning;

The above described area of 0.0186 acres is contained within the Medina County Auditor's Permanent Parcel Number 028-19A-13-200.

This description was prepared and reviewed February 24, 2005 by Robert A. Damon, Registered Surveyor No. 6083.

The basis of bearings in this description are based on an assumed meridian and are for the purpose of angular measurement only.

Grantor grants all of the property described above, except that they reserve all mineral rights and the right of ingress and egress to and from S.R. 42 for themselves and their heirs, executors, administrators and assigns.



RE-5.1  
LPA (Traffic)  
Payment by City  
4-83

COUNTY: MEDINA  
ROUTE: Medina Signal Upgrade  
PARCEL: 14 SHV  
PID: 21174

**EASEMENT FOR SIGNAL PURPOSES  
(METES AND BOUNDS)**

**KNOW ALL MEN BY THESE PRESENTS:**

That TRC Medina Shopping Center Investors, LTD., an Ohio limited liability company the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and for other good and valuable considerations to be paid by the City of Medina, in the name, and for the use, of City of Medina, the Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, the following rights, privileges and easements in, upon and over certain real estate owned by the Grantor in \_Medina County, Ohio, Medina City.

The right to construct, use, maintain and keep in repair traffic signal, and to be constructed and maintained upon a strip of land described as follows:

**Parcels: 14 SHV**

**See Attached Exhibits - "A"**

It is understood that the strip of land above described contains 0.0186 acres, more or less for 14 SHV;

Provided also that the Grantee shall have the permanent right of ingress to and egress from the described strip of land for the purposes of making inspection and repairs upon said traffic signal at any time.

Grantor claims title by warranty deed Instrument # 2000OR026435 Medina County Recorder's office.

RE 247  
REV. 09/03

AC-ACK

IN WITNESS WHEREOF, TRC Medina Shopping Center Investors, LTD., an Ohio limited liability company, has caused its name to be subscribed by Michael G. Oravec, its duly authorized agent, on this 8<sup>th</sup> day of JUNE 2006.

TRC Medina Shopping Center Investors, LTD., an Ohio limited liability company

By: Michael Oravec  
Michael G. Oravec,

STATE OF OHIO, COUNTY OF CUYAHOGA SS:

BE IT REMEMBERED, that on the 8<sup>th</sup> day of JUNE, 2006, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Michael G. Oravec, who acknowledged being the duly authorized agent of **TRC Medina Shopping Center Investors, LTD., an Ohio limited liability company**, who signed or acknowledged the signing of 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.

Gary Smith

NOTARY PUBLIC  
My Commission expires: 2010