

ORDINANCE NO. 94-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT
A UTILITY EASEMENT TO OHIO EDISON TO ALLOW FOR
THE CONSTRUCTION OF ELECTRICAL FACILITIES, AND
DECLARING AN EMERGENCY.**

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

- SEC. 1:** That the Mayor is hereby authorized to grant an Easement to Ohio Edison to allow for the construction of electrical facilities.
- SEC. 2:** That the Easement marked Exhibit A, attached hereto and incorporated herein, is located on Permanent Parcel No. 028-19C-20096.
- 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason Ohio Edison cannot start the process to relocate these poles until the easement is in place; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: May 12, 2025

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: May 13, 2025

SIGNED: Dennis Hanwell
Mayor

EASEMENT

ORD. 94-25 Enh. A

KNOW ALL MEN BY THESE PRESENTS, that, the **CITY OF MEDINA**, a municipal corporation organized and existing under the constitution and the laws of the State of Ohio, with a mailing address of 132 North Elmwood Avenue, Medina, Ohio 44256, hereinafter referred to as the "Grantor", claiming title by virtue of instrument recorded in Volume 38, Page 769 of the Medina County Records, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations received to its full satisfaction of **OHIO EDISON COMPANY**, an Ohio corporation, having its principal place of business at 76 South Main Street, Akron, Ohio, 44308, hereinafter referred to as the "Grantee", does hereby grant unto Grantee, its successors and assigns, an easement and right-of-way, together with the rights and privileges hereinafter set forth, for facilities for the distribution of electric current, including communication facilities, upon, over and across the following described premises:

Situated in the City of Medina, County of Medina, State of Ohio;
further described as Permanent Parcel Number 02819C20096
("Premises").

The easement area, which is upon, over and across the above-described premises, is described as follows:

That certain strip of land being thirty (30) feet wide as depicted and described on Exhibit "A", attached hereto and made part hereof.

The easement and rights herein granted shall include the right to erect, inspect, operate, replace, relocate, remove, repair, patrol and permanently maintain upon, over, under and along the above described easement area across said premises all necessary structures, wires, cables and other usual fixtures and appurtenances used for or in connection with the distribution of electric current, including communication facilities, together with the rights to install any necessary guy wires, anchors and other usual fixtures and appurtenances within or adjacent to the easement area herein granted wherever necessary and the right of reasonable ingress and egress upon, over and across said premises for access to and from said easement area, and the right to trim, cut, remove or control by any other means at any and all times such trees, underbrush, and other vegetation within or adjacent to said easement area as such trees, underbrush, and other vegetation may interfere with or endanger said structures, wires or appurtenances, or their operation.

Grantor, for itself, its successors, and assigns reserves the right to use the lands encumbered by this Easement in any manner that is not inconsistent with the rights granted to Grantee by this Easement, including, but not limited to, that said use shall not violate the National Electrical Safety Code clearances. Grantor agrees that no building, obstruction or impediment of any kind shall be placed within said easement area or between said structures or beneath said wires without prior written approval from Grantee, which consent shall not be unreasonable withheld, conditioned.

TO HAVE AND TO HOLD the said easement, rights and right-of-way and its appurtenances unto said Grantee, its successors, and assigns, forever, and the Grantor represent that it is the owner of the above-mentioned premises herein described.

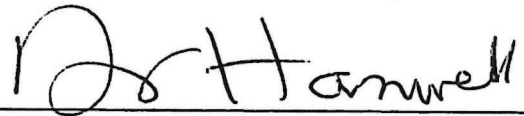
[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor hereunto set their hand this 13th day of May,
2025.

GRANTOR:

CITY OF MEDINA,

a municipal corporation organized and existing
under the constitution and the laws of the State of
Ohio

By: 

Name: Dennis Hanwell

Title: Mayor

APPROVED AS TO FORM:

Greg Huber, Law Director

[Acknowledgement Follows]

STATE OF OHIO

§

COUNTY OF Medina

On this, the 13 day of May, 2025 before me, a Notary Public, the undersigned, personally appeared Dennis Harwell, the Mayer, of the City of Medina, Ohio, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



TRACY ECKERT
Notary Public
State of Ohio
My Comm. Expires
August 25, 2029

Tracy Eckert
Notary Public

My Commission Expires: August 25, 2029

Prepared by: Ohio Edison Company

Exhibit A

[attached]



ALBER & RICE

SURVEYING | CIVIL + STRUCTURAL ENGINEERS
31913 Cook Road | N Ridgeville | OH | 44039

April 21, 2025

Description of a 0.1267 Acre Ohio Edison Easement

Located in the City of Medina, County of Medina, State of Ohio and being part of a parcel of land now or formerly owned by The City of Medina, Ohio, by a deed recorded in O.R. 38 Page 769 of the Medina County Recorder's Records and being Medina City Lot No. 4811.

Beginning at the southeast corner of Medina City Lot No. 9228, South Court Village, as recorded in Doc. No 2019PL000008 of the Medina County Recorder's Records, also known as the true place of beginning;

Thence, N 89°39'27" E, along the north line of said Medina City Lot No. 4811, a distance of 10.00 feet to a point;

Thence S 00°26'32" E, along the west right of way line of said Wooster Pike S.R. 3, a distance of 184.00 feet to a point;

Thence S 89°39'27" W, along the south line of said Medina City Lot No. 4811, a distance of 30.00 feet to a point;

Thence N 00°26'32" W, a distance of 184.00 feet to a point;

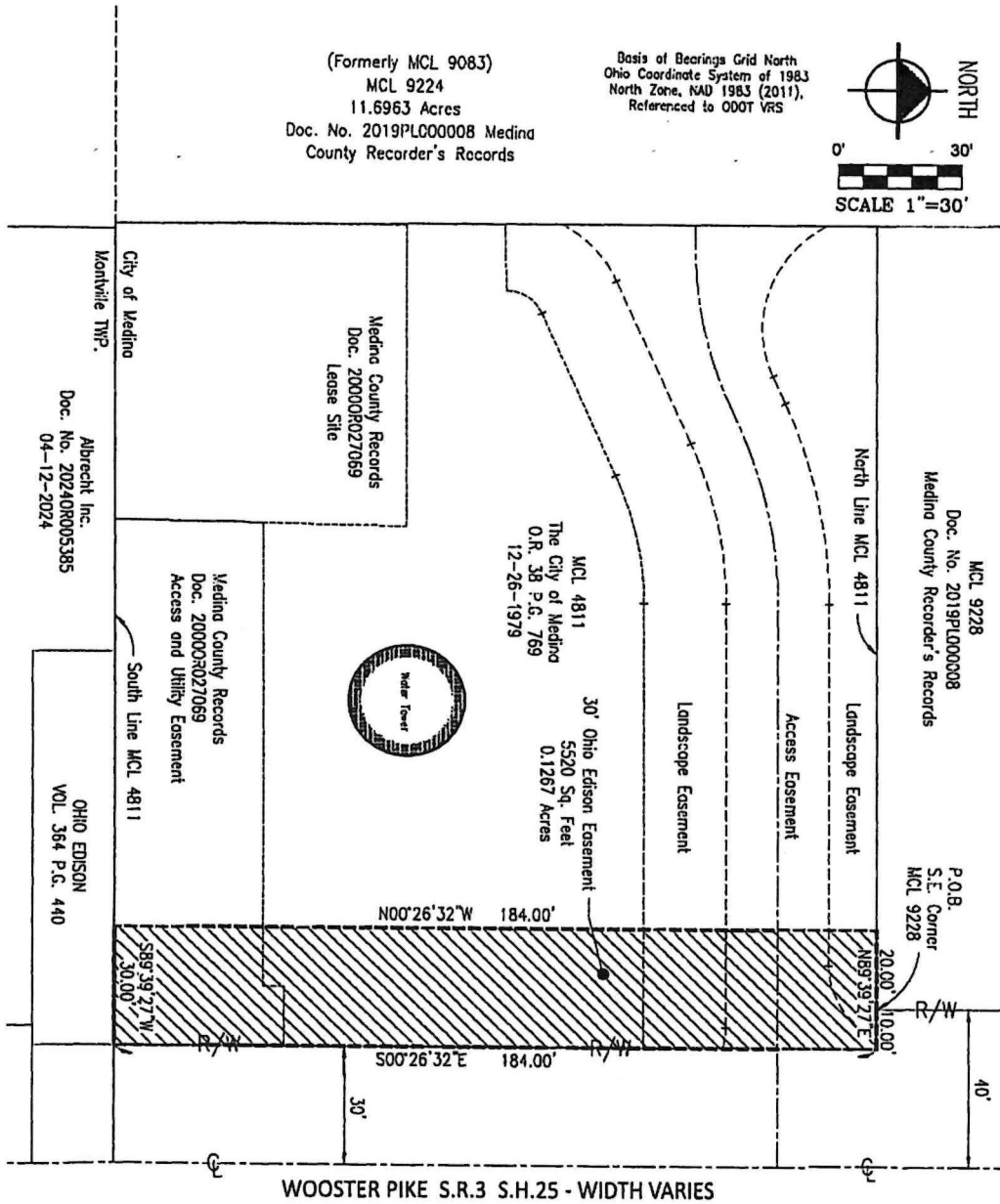
Thence, N 89°39'27" E, along the north line of said Medina City Lot No. 4811, a distance of 20.00 feet to a point and the true place of beginning;

The above described 0.1267 Acre Easement as delineated by Thomas J. King Jr. P.S. #7503 of Alber and Rice Engineers & Surveyors of North Ridgeville, Ohio in April of 2025.

The basis of bearings for this description is grid north Ohio Coordinate System zone north NAD 1983 (2011) Referenced to ODOT VRS

(Formerly MCL 9083)
MCL 9224
11.6963 Acres
Doc. No. 2019PL000008 Medina
County Recorder's Records

Basis of Bearings Grid North
Ohio Coordinate System of 1983
North Zone, NAD 1983 (2011),
Referenced to ODOT VRS



Thomas J. King Jr. 4/21/2025
Thomas J. King Jr. P.S. #7503 Date



ALBER & RICE
CIVIL + STRUCTURAL + SURVEY
31913 Cook Road | North Ridgeville | Ohio | 44039
216-252-7840 Office 216-252-7841 Fax

OHIO EDISON EASEMENT

LOCATED IN THE CITY OF MEDINA,
COUNTY OF MEDINA, STATE OF OHIO
BEING PART OF MCL 4811

JOB NUMBER

2409-20