

ORDINANCE NO. 102-25

AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT ONE (1) EASEMENT TO THE BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY PERTAINING TO THE GRANGER ROAD WATER LINE PROJECT.

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

- SEC. 1:** That the Mayor is hereby authorized to grant one (1) Easement necessary for the Granger Road Water Line Project, Job #1168.
- SEC. 2:** That the Easement marked Exhibit A, attached hereto and incorporated herein, is on the property located at 3733 Granger Road, Permanent Parcel No. 026-06D-16-010.
- SEC. 3:** That the County shall pay the City \$310.00 for this easement.
- SEC. 4:** 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. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: May 27, 2025

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: May 28, 2025

SIGNED: Dennis Hanwell
Mayor

THE UNDERSIGNED, CLERK OF THE COUNCIL OF THE
CITY OF MEDINA, OHIO, HEREBY CERTIFIES THAT
THE FOREGOING IS A TRUE AND CORRECT COPY OF
ORDINANCE-RESOLUTION NO. 102-25
ADOPTED BY SAID COUNCIL ON 5-27-25
CLERK OF COUNCIL

DEED OF PERMANENT WATERLINE EASEMENT

ORD 102-25
Exh. A

KNOW ALL MEN BY THESE PRESENTS, that The City of Medina, owner of real property at 3733 Granger Road in Medina Township, Medina County, Ohio (hereinafter, "GRANTOR"), for and in consideration of three hundred and ten dollars (\$310.00) and other good and valuable consideration to it paid by the **BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY, OHIO**, (hereinafter, "GRANTEE"), receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL, CONVEY and RELEASE to the GRANTEE, its successors and assigns forever, a perpetual nonexclusive permanent easement in, across, through, over and under the real estate situated in the State of Ohio, County of Medina, Township of Medina:

Situated in the Township of Medina, County of Medina, State of Ohio and being known as part of Medina Township Lot 58, also being part of lands conveyed to The Village of Medina by deed dated August 02, 1907 as recorded in Deed Volume 76, Page 617 of the Medina County Recorder's Records and known as Parcel No. 026-06D-16-010 (herein, the "Real Estate"), for the sole purposes of constructing, installing, maintaining, operating, inspecting, repairing, renewing, removing and replacing water transmission lines and other facilities, including, but not limited to valves and controls, and appurtenances thereto (herein, collectively, the "Facilities"), together with a right of ingress and egress over the adjacent lands of the GRANTOR, their heirs, successors and assigns to access such Permanent Easement Area (as defined below) for said purposes. GRANTOR claims title to said Real Estate by the deed recorded at the Medina County, Ohio Recorder's Office in Deed Volume 76, Page 617.

The Permanent Easement Area is of varying width and contains 0.0583 acres, more or less, and is further described in Exhibit "A" which is attached hereto, made a part hereof, and incorporated herein; it is also depicted on Exhibit "B". The perpetual nonexclusive permanent easement and the rights herein granted within the Permanent Easement Area shall continue in perpetuity.

The GRANTEE shall have the right hereunder, at all times, to access the GRANTOR'S Real Estate, to ingress and egress over the adjacent lands of the GRANTOR, and to enter upon the Permanent Easement Area to do all things necessary for the purposes of constructing, installing, operating, maintaining, inspecting, repairing, renewing, removing and replacing said Facilities, in, over, across or under said Permanent Easement Area, including, but not limited to, the use of vehicles, equipment, materials and machinery and also the location of same within the for the activities and purposes set forth herein.

GRANTOR, for itself and its successors and assigns, reserves the right to use and enjoy the surface of the Permanent Easement Area in any manner not inconsistent with the terms, conditions and limitations of the perpetual nonexclusive permanent easement granted herein to GRANTEE for the said activities and purposes.

GRANTOR agrees not to build any building or other structure within the Permanent Easement Area which would interfere with the activities and purposes of GRANTEE set forth herein; however, landscaping and planting, except trees, shall not be prohibited within the Permanent Easement Area. Further, GRANTOR shall not conduct any excavating or other activity which could interfere with GRANTEE'S use of the said Permanent Easement Area for the activities and purposes set forth herein.

GRANTEE further agrees to replace, if necessary, any grass disturbed by reason of or in connection with the activities and purposes herein granted to it, so that said Real Estate will return to substantially the same condition in which it was found prior to the commencement of such activities, except that GRANTEE shall not be required to replace any trees within the Permanent Easement Area which are damaged at any time, nor shall it be required to replace any landscaping installed within the Permanent Easement Area after the initial construction of the said Facilities and subsequently disturbed by GRANTEE in connection with the activities and purposes herein granted to it.

This grant of easements will run with the land and will be binding on and will inure to the benefit of the GRANTOR and GRANTEE, and their respective heirs, successors and assigns and the rights herein granted shall continue in perpetuity.

TO HAVE AND TO HOLD said premises unto said GRANTEE, the **BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY, OHIO**, and its successors and assigns forever, for the activities and purposes hereinabove described.

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IN WITNESS WHEREOF, an authorized representative of GRANTOR has set their hand this 9th day of July, 2025

GRANTOR:

D. Hanwell

City of Medina

Mayer Dennis Hanwell

Signed and acknowledged
in the presence of:

STATE OF Ohio }
COUNTY OF Medina } ss:

On this 9 day of July, 2025, before me, a Notary Public in and for said County, personally appeared Dennis Hanwell, the GRANTOR in the foregoing document, who executed this Deed of Easement and acknowledged the signing thereof to be his voluntary act and deed.

Witness my official signature and seal on the day last above mentioned.



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

Tracy Eckert
NOTARY PUBLIC



Cunningham & Associates, Inc.

Civil Engineering & Surveying
203 W. Liberty St., Medina, Oh 44256
Phone: (330) 725-5980 * Fax (330) 725-8019

EXHIBIT A

Legal Description for a Varied Width Water Main Easement
Project No. 24-143
March 11, 2025

Situated in the Township of Medina, County of Medina, State of Ohio and being known as part of Medina Township Lot 58, also being part of lands conveyed to The Village of Medina by deed dated August 02, 1907 as recorded in Deed Volume 76, Page 617 of the Medina County Recorder's Records, further bounded and described as follows:

Commencing at the intersection of the centerline of Lake Forest Trail (T.H. 846), having a 60-foot Right-of-Way with the centerline of Granger Road (C.H. 21), having a varied width Right-of-Way as shown by Falcon Point At Lake Medina Reserve Subdivision – Phase 3 – Replat 3 recorded in Document Number 2020PL000003 of the Medina County Recorder's Records;

Thence along the centerline of Granger Road, bearing South 89°28'32" West, a distance of 829.74 feet to a point thereon;

Thence at a right angle and perpendicular to the centerline of Granger Road, bearing North 0°31'28" West, a distance of 30.00 feet to a point on the Northern Right-of-Way of Granger Road and the **TRUE PLACE OF BEGINNING** of the Easement Area herein described;

Thence along the Northern Right-of-Way of Granger Road, bearing South 89°28'32" West, a distance of 54.68 feet to an angle point therein;

Thence at a right angle and continuing along the Northern Right-of-Way of Granger Road, bearing North 0°31'28" West, a distance of 15.00 feet to an angle point therein;

Thence continuing along the Northern Right-of-Way of Granger Road, bearing North 87°20'14" West for a distance of 89.93 feet to an angle point thereon, also being the a point on the Eastern line of lands conveyed to Hendrick Leibradt and Mary Waickman by deed dated December 12, 2022 as recorded in Document Number 2022OR025003 of the Medina County Recorder's Records;

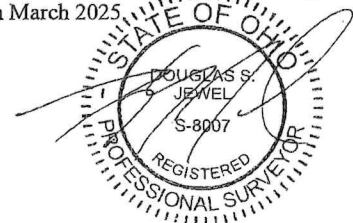
Thence along the Eastern line of said lands of Leibradt and Waickman, bearing North 09°33'37" East, a distance of 12.19 feet to a point thereon;

Thence parallel to the centerline of Granger Road, bearing North 89°28'32" East, a distance of 111.25 feet to a point;

Thence, bearing South 44°41'32" East, a distance of 44.61 feet to a point on the Northern Right-of-Way of Granger Road and the **TRUE PLACE OF BEGINNING** intending to be a varied width strip of land, containing 0.0583 Acres of land, more or less but subject to all legal highways and all covenants and agreements of record.

Bearings are based on an assumed meridian and are used herein to indicate angles only.

This legal description was prepared based on a survey by and/or under the supervision of Douglas S. Jewel P.S. # S-8007 by Cunningham & Associates, Inc. in March 2025.



PARCEL 2

HENDRICK LEIBRADT
& MARY WAICKMAN
DOC. NO.
20220R025003
12/12/2022

THE VILLAGE OF MEDINA
D.V. 76, PG. 617
08/02/1907

PROPOSED WATER
MAIN EASEMENT
0.0583 AC.

N89°28'32"E 111.25'

T.P.O.B.

S89°28'32"W 829.74'

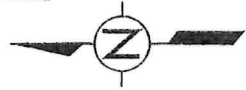
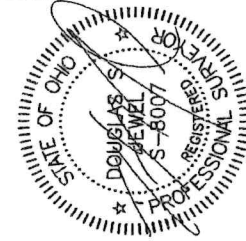
GRANGER ROAD (C.H. 21)(R/W VARIES)

P.O.C.

LAKE FOREST TRAIL
(T.H. 846)(60' R/W)

FALCON POINT
AT LAKE MEDINA
RESERVE SUBDIVISION
PHASE 3 -- REPLAT 3
2020PL000003

Line Table		
Line #	Direction	Length
L1	N0°31'28"W	30.00
L2	S89°28'32"W	54.68
L3	N0°31'28"W	15.00
L4	N87°20'14"W	89.93
L5	N9°33'37"E	12.19
L6	S44°41'32"E	44.61



Scale: 1" = 60'
BEARINGS ARE TO AN ASSUMED MERIDIAN
AND ARE USED TO DENOTE ANGLES ONLY.

SITUATED IN THE TOWNSHIP OF MEDINA,
COUNTY OF MEDINA, STATE OF OHIO AND
BEING KNOWN AS MEDINA TOWNSHIP LOT 58

EXHIBIT B

CUNNINGHAM & ASSOCIATES, INC.
CIVIL ENGINEERING and SURVEYING
208 W. LIBERTY ST. MEDINA, OHIO 44256 330-723-5980

Part of Township Lot 58
LOCATED IN:
TOWNSHIP OF MEDINA
COUNTY OF MEDINA
STATE OF OHIO

DRAWN BY: SC
DATE: 03/10/2025

PROJECT No.
24-143

ACID FILE No.
Exhibit 02

SHEET NO.
1