

ORDINANCE NO. 151-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT TWO (2) TEMPORARY EASEMENTS NECESSARY FOR THE PROSPECT STREET BRIDGE PROJECT, 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 accept two (2) Temporary Easements necessary for the Prospect Street Bridge Project.
- SEC. 2:** That the Temporary Easement for 503 W. Smith Road (\$300.00), located on Permanent Parcel No. 028-19A-21-322 is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the Temporary Easement for 290 S. Prospect Street (\$388.00), located on Permanent Parcel No. 028-19A-21-315 is marked Exhibit B, attached hereto and incorporated herein.
- SEC. 4:** That the funds to cover the easements, in the amount of \$688.00 are available in Account No. 108-0610-54411.
- SEC. 5:** 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. 6:** 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 to get the easements recorded and not delay the project; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: September 8, 2025

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: September 9, 2025

SIGNED: Dennis Hanwell
Mayor

TEMPORARY EASEMENT

*ORD. 151-25
Exh. A*

Korby L. Spielberger and Shari Spishak-Spielberger, married, the Grantor(s), in consideration of the sum of \$300.00, to be paid by the City of Medina, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T

MED-MR-262.0.29 (PROSPECT ST.) PID: 120265

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-21-322

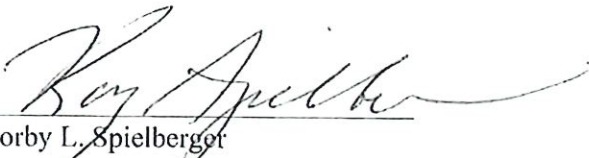
Prior Instrument Reference: Instrument No. 2022OR022717, Medina County Recorder's Office.

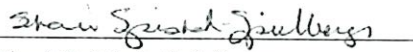
To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 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(s) interest granted 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 Korby L. Spielberger And Shari Spishak-Spielberger have
hereunto set their hands on the 24 day of June, 2025

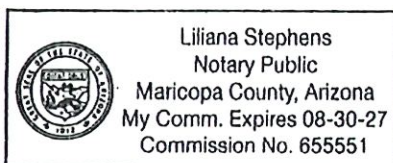

Korby L. Spielberger


Shari Spishak-Spielberger

ARIZONA MARICOPA
STATE OF ~~OHIO~~, COUNTY OF ~~MEDINA~~ SS:

BE IT REMEMBERED, that on the 24 day of June, 2025, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Korby L. Spielberger And Shari Spishak-Spielberger who acknowledged the foregoing
instrument to be their voluntary acts and deeds. No oath or affirmation was administered to
Korby L. Spielberger And Shari Spishak-Spielberger with regard to the notarial act.

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: 8/30/27

This document was prepared by: The City of Medina

EXHIBIT A

JD

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Ver. Date 02/10/2025

PID 120265

**PARCEL 1-T
MED-MR-262-0.29 (PROSPECT)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE
FOR 12 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, located within Original Medina Township, Township 3 North, Range 14 West of the Connecticut Western Reserve and being part of Lot 316 as shown on Blakes Addition to the Original Plat of Medina in Plat Book 1 page 9 and described in a deed to Korby L. Spielberger and Shari Spishak-Spielberger in Doc. No. 2022 OR022717 (All records are on file at the Recorder's Office, Medina County, Ohio), lying on the left side of the centerline of right of way of Prospect Street and said parcel being more fully described as follows:

Beginning at the northeasterly corner of said Lot 316, the southeasterly corner of Lot 311 of said Blakes Addition and being on the westerly right of way of Prospect Street, having a Sta. 102+99.01 ~ 30.36 feet left of the centerline of Prospect Street as shown in MED-MR-262-0.29 (Prospect) Right of Way plans prepared by ms consultants, inc. for the City of Medina and the Ohio Department of Transportation;

Thence South 00° 09' 00" West, following the westerly right of way of Prospect Street and the easterly line of said Lot 316, for a distance of 32.61 feet to Sta. 102+66.40 ~ 30.36 feet left;

Thence North 89° 51' 00" West, passing through said Lot 316, for a distance of 10.00 feet to Sta. 102+66.40 ~ 40.36 feet left;

Thence North 00° 09' 00" East, continuing through said Lot 316, for a distance of 32.52 feet to the northerly line of said Lot 316 and the southerly line of said Lot 311, having a Sta. 102+98.93 ~ 40.36 feet left;

Thence North 89° 38' 36" East, following the line thereof, for a distance of 10.00 feet to the **Beginning**, and containing 326 square feet or 0.007 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-21-322, of which Present Road Occupied is 0.000 square feet.

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North for the above description is based on the Ohio County Coordinate System Medina LDP and referenced to the North American Datum of 1983 (2011) determined by GPS Observations on May 29, 2024.

The above description was prepared under the direction and supervision by Chad S. Snow, Registered Professional Surveyor No. 8559 and is based on an actual field survey performed by ms consultants, inc. in May and June 2024.

 3/15/25



TEMPORARY EASEMENT

ORD. 151-25
EXH. B

Bruce H. Bauer Revocable Trust Agreement, unmarried, the Grantor(s), in consideration of the sum of \$388.00, to be paid by the City of Medina, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 4-T

MED-MR-262.0.29 (PROSPECT ST.) PID:120265

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-21-315

Prior Instrument Reference: Instrument Numbers 2010OR008421 & 2010OR008422 and 2025OR011588, Medina County Recorder's Office.

To have and to hold the temporary easement(s), 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(s) granted to the Grantee is 12 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(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

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IN WITNESS WHEREOF Bruce H. Bauer Revocable Trust Agreement have hereunto set his hands on the 18th day of July, 2025.

Bruce H. Bauer Trustee
BRUCE H. BAUER, TRUSTEE

STATE OF OHIO, COUNTY OF MEDINA. SS:

BE IT REMEMBERED, that on the 18th day of July, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Bruce H. Bauer Revocable Trust Agreement who acknowledged the foregoing instrument to be his voluntary acts and deeds. No oath or affirmation was administered to Bruce H. Bauer Revocable Trust Agreement with regard to the notarial act.

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

Mark D. Roberts
MARK D. ROBERTS

NOTARY PUBLIC

My Commission expires: 10/14/28

This document was prepared by: the City of Medina

EXHIBIT A

LPA RX 887 T

JD

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Ver. Date 02/10/2025

PID 120265

**PARCEL 4-T
MED-MR-262-0.29 (PROSPECT)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE
FOR 12 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, located within Original Medina Township, Township 3 North, Range 14 West of the Connecticut Western Reserve and being part of Lot 401 as shown in Medina 1898 Plat Book M page 7 and described in a deed to Sally J. Bauer and Bruce H. Bauer Co-Trustees of the Sally J. Revocable Trust Agreement Dated April 26, 2010 in Doc. No. 2010 OR008422 (All records are on file at the Recorder's Office, Medina County, Ohio), lying on the right side of the centerline of right of way of Prospect Street and said parcel being more fully described as follows:

Commencing at the southwesterly corner of said Lot 401, and being the intersection of the northerly right of way of W. Smith Road and the easterly right of way of Prospect Street, having a Sta. 101+64.64 ~ 29.70 feet right of the centerline of Prospect Street as shown in MED-MR-262-0.29 (Prospect) Right of Way plans prepared by ms consultants, inc. for the City of Medina and the Ohio Department of Transportation;

Thence North 00° 09' 00" East, following easterly right of way of Prospect Street and the westerly line of said Lot 401, for a distance of 80.06 feet to Sta. 102+44.70 ~ 29.70 feet right and being the **True Place of Beginning** of the parcel herein described;

Thence North 00° 09' 00" East, continuing along the line thereof, for a distance of 79.60 feet to the southerly line of the Wheeling & Lake Erie Railroad, having a Sta. 103+24.30 ~ 29.70 feet right;

Thence South 77° 22' 09" East, passing through said Lot 401 and following the southerly line of said Railroad, for a distance of 8.19 feet to a point having a Sta. 103+22.53 ~ 37.70 feet right;

Thence South 00° 09' 00" West, passing through said Lot 401, for a distance of 77.83 feet to a point having a Sta. 102+44.70 ~ 37.70 feet right;

EXHIBIT A

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Thence North 89° 51' 00" West, continuing through said Lot 401, for a distance of 8.00 feet to the **True Place of Beginning**, and containing 630 square feet or 0.014 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-21-315, of which Present Road Occupied is 0.000 square feet.

North for the above description is based on the Ohio County Coordinate System Medina LDP and referenced to the North American Datum of 1983 (2011) determined by GPS Observations on May 29, 2024.

The above description was prepared under the direction and supervision by Chad S. Snow, Registered Professional Surveyor No. 8559 and is based on an actual field survey performed by ms consultants, inc. in May and June 2024.

 3/13/25

