

ORDINANCE NO. 155-25

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-20-049 is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the Temporary Easement for 248 Prospect Street (\$332.00), located on Permanent Parcel No. 028-19A-21-316 is marked Exhibit B, attached hereto and incorporated herein.
- SEC. 4:** That the funds to cover the easements, in the amount of \$632.00 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 22, 2025

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: September 23, 2025

SIGNED: Dennis Hanwell
Mayor

TEMPORARY EASEMENT

ORD 155-25
Ekh. 14

Montrose Land Corporation, An Ohio Corporation, the Grantor(s), in consideration of the sum of \$300.00, to be paid by the City of Medina, the Grantee, does 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): 2-T

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

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-20-049

Prior Instrument Reference: Instrument No. 2001OR023509, 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 Montrose Land Corporation, An Ohio Corporation has caused its name to be subscribed by James Patneau, its duly authorized President, and its duly authorized agent on the 2nd day of July, 2025.

MONTROSE LAND CORPORATION, AN OHIO CORPORATION

By: [Signature]
James Patneau
President

STATE OF OHIO, COUNTY OF MEDINA SS:

BE IT REMEMBERED, that on the 2nd day of July, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James Patneau, who acknowledged being the President and duly authorized agent of Montrose Land Corporation, An Ohio Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to James Patneau 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.

[Signature]
MARK W. ROBERTS
NOTARY PUBLIC
My Commission expires: 10/4/26

This document was prepared by: The City of Medina

EXHIBIT A

LPA RX 887 T

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Ver. Date 02/10/2025

PID 120265

**PARCEL 2-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 311 as shown on Blakes Addition to the Original Plat of Medina in Plat Book 1 page 9 and described in a deed to Montrose Land Corporation in Doc. No. 2001 OR023509 (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 southeasterly corner of said Lot 311, the northeasterly corner of Lot 316 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 89° 38' 36" West, following the southerly line of said Lot 311 and the northerly line of said Lot 316, for a distance of 10.00 feet to Sta. 102+98.93 ~ 40.36 feet left;

Thence North 00° 09' 00" East, passing through said Lot 311, for a distance of 44.29 feet to the southerly line of the Wheeling & Lake Erie Railroad, having a Sta. 103+43.21 ~ 40.36 feet left;

Thence South 77° 21' 30" East, continuing through said Lot 316 and following the southerly line of said Railroad, for a distance of 10.24 feet to the westerly right of way of Prospect Street and the easterly line of said Lot 311, having a Sta. 103+41.00 ~ 30.36 feet left;

Thence South 00° 09' 00" West, following the westerly right of way of Prospect Street and the easterly line of said Lot 311, for a distance of 41.99 feet to the **Beginning**, and containing 431 square feet or 0.010 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-20-049, 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.

[Faint, illegible handwritten text and a circular stamp]

TEMPORARY EASEMENT

ORD. 155-25
Exh. B

Montrose Land Corporation, An Ohio Corporation, the Grantor(s), in consideration of the sum of \$332.00, to be paid by the City of Medina, the Grantee, does 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): 5-T

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

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-21-316

Prior Instrument Reference: Instrument No. 2001OR023509, 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 Montrose Land Corporation, An Ohio Corporation has caused its name to be subscribed by James Patneau, its duly authorized President, and its duly authorized agent on the 29th day of July, 2025.

MONTROSE LAND CORPORATION, AN OHIO CORPORATION

By:

[Signature]
James Patneau
President

STATE OF OHIO, COUNTY OF MEDINA SS:

BE IT REMEMBERED, that on the 29th day of July, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James Patneau, who acknowledged being the President and duly authorized agent of Montrose Land Corporation, An Ohio Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to James Patneau 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.

[Signature]
MARK W. ROBERTS

NOTARY PUBLIC

My Commission expires:

10/14/26

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 5-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 380 as shown in Medina 1898 Plat Book M page 7 and described in a deed to Montrose Land Corporation in Doc. No. 2001 OR023509 (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 a 5/8" iron pin found at the northwesterly corner of said Lot 380, the southwesterly corner of Lot 379 and being on easterly right of way of Prospect Street, having a Sta. 104+94.54 ~ 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 South 00° 09' 00" West, following easterly right of way of Prospect Street and the westerly line of said Lot 380, for a distance of 24.54 feet to Sta. 104+70.00 ~ 29.70 feet right and being the **True Place of Beginning** of the parcel herein described;

Thence South 89° 51' 00" East, passing through said Lot 380, for a distance of 8.00 feet to a point having a Sta. 104+70.00 ~ 37.70 feet right;

Thence South 00° 09' 00" West, continuing through said Lot 380, for a distance of 65.54 feet to the northerly line of the Wheeling & Lake Erie Railroad, having a Sta. 104+04.46 ~ 37.70 feet right;

Thence North 77° 22' 09" West, continuing through said Lot 380 and following the northerly line of said Railroad, for a distance of 8.19 feet to the easterly right of way of Prospect Street and having a Sta. 104+06.23 ~ 29.70 feet right;

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Thence North 00° 09' 00" East, following the line thereof, for a distance of 63.77 feet to the **True Place of Beginning**, and containing 517 square feet or 0.012 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-21-316, 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.

 3/18/25

STATE OF OHIO
CHAD STEWART
SNOW
8559
REGISTERED
PROFESSIONAL SURVEYOR