

DocId:8550401  
TX:8401478

2024OR019144

LINDA HOFFMANN  
MEDINA COUNTY RECORDER  
MEDINA, OH  
RECORDED ON  
12/02/2024 12:43 PM

REC FEE: 66.00  
PAGES: 7  
DOC TYPE: EASE

MEDINA COUNTY RECORDER

LINDA HOFFMANN

(DO NOT REMOVE THIS COVER SHEET.  
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

NO TRANSFER NECESSARY  
12/21/2024 DATE  
ANTHONY P. CAPRETTA  
MEDINA COUNTY AUDITOR

**Sanitary Sewer Easement**

0 RD. 193-24

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of ONE and 00/100 Dollar (\$1.00) and other good and valuable consideration recited herein given to LEGACY HOTEL OF MEDINA LLC hereinafter "Grantor(s)" by the CITY OF MEDINA, Ohio, hereinafter "Grantee", the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a sanitary sewer easement for the purpose of erecting, constructing, installing and thereafter using, operating, inspecting, maintaining, repairing, replacing or removing a SANITARY SEWER AND APPURTENANCES under, across, and through certain land of the Grantor(s) situated in the City of Medina, County of Medina and State of Ohio and more particularly described as follows:

Said easement is granted upon parcel number: 028-19A-21-402

Situated in the City of Medina, County of Medina, State of Ohio and being known as part of Medina City Lot (MCL) 9423 as shown by plat recorded in Document Number 2024PL000016 of the Medina County Recorder's Records, further bounded and described in Exhibits A and B:

together with the right of reasonable ingress and egress over the immediately adjacent lands of the Grantor(s) for the purpose and use of said easement. The Grantee covenants and agrees that it will not use said easement for public right-of-way purposes.

As additional consideration for this easement and right-of-way, the Grantee covenants and agrees as follows:

1. Grantee shall observe, maintain, repair, or replace the proposed sanitary sewer and appurtenances if any maintenance issues arise. Grantee will be responsible for all excavation and backfill associated with any such maintenance activities but all surface restoration will be the responsibility of the Grantor.
2. Grantee will for its successors and assigns agrees that it will use its best efforts to have any future maintenance of the proposed sanitary sewer main and appurtenances undertaken by a competent sanitary sewer main contractor who shall complete said construction as expeditiously as possible.

Grantor(s) covenant and agrees as follows:

1. Grantor will not install, erect or maintain any structure, fixture or device upon the easement which could in any way interfere with Grantee's use of the easement and right-of-way without written consent from the City of Medina; however, Grantor retains the right to use the surface of the easement area provided said use does not interfere with the uses granted to Grantee.
2. Grantor shall complete the installation and testing of the proposed sanitary sewer and appurtenances in accordance with the plans and/or specifications approved by the City of Medina and Board of County Commissioners of Medina County, Ohio.
3. Authorize the City of Medina and the Board of County Commissioners of Medina County, Ohio and all other officials, assistants, employees, agents and contractors thereof to enter upon the property designated as 257 S. Court Street.; Permanent Parcel No. 028-19A-21-402, part of Medina City Lot 9423 with the necessary equipment to observe, maintain, repair and or replace the proposed sanitary sewer and appurtenances. The Grantee will complete all

excavation and backfilling necessary to observe, maintain, repair or replace the sanitary sewer and appurtenances.

4. Release the City of Medina and the Board of County Commissioners of Medina County, Ohio, and all other officials, assistants, employees, agents and contractors thereof, from claims of damage, of compensation by reason for the observaton, maintenance, repair or replacement of the sanitary sewer main and appurtenances at the property designated as 257 S. Court Street.; Permanent Parcel No. 028-19A-21-402, part of Medina City Lot 9423.
5. Grantor shall replace any existing surface treatment, pavement, patio pavers, lawn, landscaping, shrubbery, or other improvements which may be damaged as a result of future maintenance, repair, or replacement of the sanitary sewer and appurtenances by the Grantee.
6. Grantor will secure and protect all permanent structures associated with the sanitary sewer in the easement area.
7. Grantor will pay for all costs of surveying, recording of documents, filing and transfer fees, escrow costs and title expenses, if any.

All the terms and conditions of this Easement and Right-of-way shall be binding upon and inure to the benefit of the Grantor(s), the Grantee, their heirs, executors, administrators, successors and assigns.

The grant of this Easement and Right-of-way shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

SITUATED IN THE CITY OF  
 MEDINA, COUNTY OF  
 MEDINA, STATE OF OHIO  
 AND BEING KNOWN AS PART  
 OF MEDINA CITY LOT 9423

MCL 364 (PT)  
 MRR PROPERTIES, LLC  
 DOC. NO. 2014OR012787  
 06/30/2014

KING REAL ESTATE LLC  
 DOC. NO. 1999OR043031  
 12/30/1999

MCL 355 (PT)  
 MCL 356 (PT)

N89°56'06"W 147.65' Rec. & Utd.

T.P.O.B. 114.87'

P.O.C.

Line Table		
Line #	Direction	Length
L1	S0°03'54"W	10.35
L2	N89°56'06"W	41.71
L3	N89°40'53"W	20.07
L4	N89°05'15"E	28.17

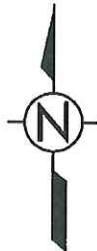
N04°57'40"E 135.57'  
 S04°57'40"W 125.76'

VARIED WIDTH SANITARY  
 SEWER EASEMENT  
 0.0721 AC.

MCL 9423  
 DOC. NO. 2024PL000016

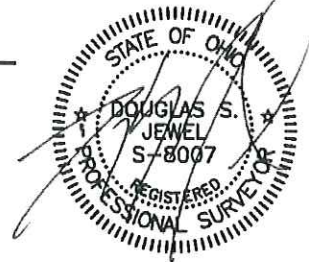
MCL 359 (PT)  
 THE CITY OF MEDINA  
 OR 211, PG 33  
 07/17/1984

SOUTH COURT STREET (66' R/W)



Scale: 1" = 40'

BEARINGS ARE TO AN ASSUMED MERIDIAN  
 AND ARE USED TO DENOTE ANGLES ONLY.



**EXHIBIT B**  
 CUNNINGHAM & ASSOCIATES, INC.  
 CIVIL ENGINEERING and SURVEYING  
 203 W. LIBERTY ST., MEDINA, OHIO 44136 330-725-5980

Part of MCL 9423  
 LOCATED IN:  
 CITY OF MEDINA  
 COUNTY OF MEDINA  
 STATE OF OHIO

DRAWN BY: SG  
 DATE: 6/13/24

PROJECT No.  
 22-137

ACAD FILE No.  
 EXHIBIT 02

SHEET NO.

1 / 1