

ORDINANCE NO. 175-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT
AN EASEMENT ON WEST SMITH PERTAINING TO THE
WEST SMITH WATER LINE 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 the permanent easement located upon Parcel Number #028-19D-05-145 at 238 West Smith Road.
- SEC. 2:** That a copy of the easement is marked Exhibit A, attached hereto and incorporated herein.
- 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 the property owner has signed the easement and we would like to get it recorded and the owner paid; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED:	<u>October 27, 2025</u>	SIGNED:	<u>James A. Shields</u> President of Council Pro-Tem
ATTEST:	<u>Kathy Patton</u> Clerk of Council	APPROVED:	<u>October 27, 2025</u>
		SIGNED:	<u>John M. Coyne, III</u> Acting Mayor

GRANT OF EASEMENT

ORD. 175-26
Exh. A

KNOWN TO ALL MEN BY THESE PRESENTS, that Marcia L. Gorfido htta Marcia L. Gorfido-Ross aka Marcia L. Simpson, Single, the Grantor(s), for and in consideration of Two Thousand Eight Hundred Fifty Dollars (\$2,850.00) and other valuable considerations received to my full satisfaction from the CITY OF MEDINA, OHIO, the Grantee, does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns to have and to hold forever an easement upon real property with the right to enter upon said real property easement to construct, maintain, operate, repair and remove a water main and appurtenances in, through and under the real property described as follows:

Said easement is granted upon parcel number 028-19C-05-145

****SEE EXHIBIT A ATTACHED****

Prior Instrument Reference: Instrument No. 2002OR030111, Medina County Recorder's Office.

No structure, buildings, ponds or other utilities of any kind shall be constructed or placed on or in said easement without the written consent of the CITY OF MEDINA, OHIO.

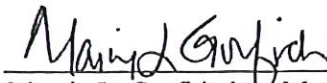
As a part of the consideration for the granting of said easement(s) to the Grantee, the Grantee for its successors and assigns agrees that it will use its best efforts to have the construction of the proposed water main undertaken by a competent contractor who shall complete said construction as expeditiously as possible and who shall restore the site of the work as nearly as possible to its original condition and shall maintain it in such condition for a period of one (1) year after completion of said construction.

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

And the said Grantor(s) for herself and her heirs, executors and administrators, hereby covenant with said Grantee, its successors and assigns that she is the true and lawful owner(s) of said

premises, and are lawfully seized of the same in fee simple, and have good right and full power, to grant, bargain, sell, convey and release the same in the manner aforesaid.

IN WITNESS WHEREOF, Marcia L. Gorfido htta Marcia L. Gorfido-Ross aka Marcia L. Simpson has hereunto set her hand on the 4 day of APRIL, 2025.



Marcia L. Gorfido htta Marcia L.
Gorfido-Ross aka Marcia L.
Simpson

STATE OF OHIO, COUNTY OF MEDINA. SS:

BE IT REMEMBERED, that on the 4 day of APRIL, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Marcia L. Gorfido htta Marcia L. Gorfido-Ross aka Marcia L. Simpson who acknowledged the foregoing instrument to be her voluntary act and deed. No oath or affirmation was administered to Marcia L. Gorfido htta Marcia L. Gorfido-Ross aka Marcia L. Simpson 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.



HAYDAN R. JONES
Notary Public, State of Ohio
My Commission Expires
05/12/2029



NOTARY PUBLIC
My Commission expires: 5/12/29

This document was prepared by: MCSE
791 W. Smith Rd., Medina, OH 44256

CASES OF DEARINGS



DESCRIPTION OF A 0.026 ACRE WATERLINE EASEMENT

Situated in the State of Ohio, County of Medina, City of Medina, being located in Original Montville Township Lot 1, Township 2, Range 14, Connecticut Western Reserve, being a part of Medina City Lots 1047 and 1048, said lots being described in a deed to Marcia L. Gorfido-Ross, of record in Instrument Number 2002OR030111 (herein referred to as "Gorfido-Ross tract"), all records referenced herein are on file at the Office of the Recorder for Medina County, Ohio, and being more further bounded and described as follows:

BEGINNING at the northwest corner of said Gorfido-Ross tract, being the northeast corner of that tract of land described in a deed to Champion Creek Land Holdings LLC, of record in Instrument Number 2022OR018103, being on the south right-of-way line for Smith Road (60' R/W width - Public);

Thence North 89 degrees 42 minutes 44 seconds East, along the south right-of-way line for said Smith Road, along the north line of said Gorfido-Ross tract, a distance of 73.00 feet to the northeast corner of said Gorfido-Ross tract, being the northwest corner of that tract of land described in a deed to H. P. & H., Inc., of record in Official Record 1077, Page 66;

Thence South 00 degrees 04 minutes 16 seconds East, along the east line of said Gorfido-Ross tract, along the west line of said H. P. & H. tract, a distance of 31.40 feet to a point;

Thence North 66 degrees 58 minutes 47 seconds West, across said Gorfido-Ross tract, a distance of 79.36 feet to the **POINT OF BEGINNING** for this description.

The above described easement contains a total area of 0.026 acres, all of which is located within Medina County Auditor's parcel number 028-19C-05-145.

Bearings described hereon are based on North 89 degrees 42 minutes 44 seconds East for the existing centerline of right-of-way for Smith Road between Huntington Street and Elmwood Avenue, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared by Brian P. Bingham, Registered Professional Surveyor Number 8438, is based on an actual field survey performed by American Structurepoint, Inc, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Brian P. Bingham
Registered Professional Surveyor No. 8438

Date