

ORDINANCE NO. 73-26

AN ORDINANCE DECLARING NECESSITY TO APPROPRIATE A SECTION OF THE CHAMPION CREEK PROPERTY AS SET FORTH AND DESCRIBED IN EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN FOR THE MUNICIPAL PURPOSE OF REPLACING THE HUNTINGTON STREET BRIDGE AND DECLARING AN EMERGENCY.

WHEREAS: It has been determined that it is necessary for the City of Medina to acquire ownership of a section of Champion Creek, a description of which is set forth in Exhibit A, attached hereto and incorporated herein for purposes of replacing the Huntington Street bridge;

WHEREAS: The Law Director of the City of Medina has been unable to negotiate acquisition of the property as ownership of the property described in Exhibit A is unknown; the last known owner of the subject property is a gentleman named David Sanger, who acquired the property in 1835;

WHEREAS: In order that replacement of the Huntington Street bridge may be completed within a reasonable time and for the avoidance of inconvenience to the residents of the City of Medina, it is necessary to obtain ownership of the property in the most expeditious manner possible.

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

SEC. 1: That an ownership interest in the property surveyed and described in Exhibit A, attached hereto and incorporated herein is hereby appropriated pursuant to the State of Ohio Constitution, the laws of the State of Ohio, and the ordinances of the City of Medina, Ohio.

SEC. 2: That the Medina City Council finds that the appropriation of an ownership interest in the described land is necessary for the replacement of the South Huntington Street bridge so that Huntington Street may remain open and usable by residents of the City of Medina.

SEC. 3: That a current property owner of the surveyed property described in Exhibit A attached hereto and incorporated herein is unknown notwithstanding a title search completed in connection with the subject property.

SEC. 4: That the Medina City Council hereby approves an ownership interest in the property described as set forth in Exhibit A; the City Law Director is hereby authorized to take all steps permitted pursuant to R.C. 163 so that the City of Medina may obtain immediate possession of the property for the public purposes set forth herein.

SEC. 5: That the Law Director is hereby authorized and directed to file a petition for appropriation in a court of competent jurisdiction and have a jury empaneled, if necessary, so as to set the compensation to be paid for the property interest taken in connection with the described real estate.

SEC. 6: That the Medina City Council hereby authorizes and directs the Mayor and the City Law Director to establish value for the property that is to be taken and to deposit the amount of said value with the Medina County Court of Common Pleas for the use and benefit of any known owner and that from that deposit, the City of Medina shall take possession and enter upon the subject property pursuant to law.

SEC. 7: That the funds necessary to cover this appropriation are available, in the amount of \$1,300.00, are available in account number 108-0671-54411; that the Director of Finance is instructed and authorized to appropriate the amount to be deposited with the Medina County Court of Common Pleas pursuant to this ordinance and make disbursements of such funds as necessary.

SEC. 8: 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 resulting in such formal actions, have taken place in compliance with Medina City ordinances and R.C. 121.22.

SEC. 9: 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 that it is necessary to acquire the ownership interest in the subject property so as to assure satisfactory completion of the Huntington Street Bridge Replacement Project so that City of Medina residents may continue to use Huntington Street in a normal manner; and further provided that this legislation receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be enforced immediately upon its passage and approval by the Mayor.

PASSED: May 4, 2026

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: May 4, 2026

SIGNED: James A. Shields
Mayor

Situated in The State of Ohio, County of Medina, City of Medina, bounded and described as follows:

Beginning at a 3/4-inch iron pin monument found at the intersection of the centerline of said South Huntington Street, 33.00 feet wide, and the centerline of West Smith Road, 60.00 feet wide;

Thence South 00 degrees 16 minutes 45 seconds West, 29.96 feet along the centerline of said South Huntington Street to a point therein;

Thence South 89 degrees 43 minutes 15 seconds East, 16.50 feet to its intersection of the easterly line of said South Huntington Street and the southerly line of said West Smith Road;

Thence South 00 degrees 16 minutes 45 seconds West, 192.06 feet along the easterly line of said South Huntington Street to a 5/8 inch iron pin set at its intersection with the southerly line of a parcel of land conveyed to Champion Creek Land Holdings LLC by Document 2022OR018103 Official Records Transfer Date August 24, 2022 Medina County and being the **Principal Place of Beginning** of the parcel herein described;

Thence with the following four (4) courses:

- 1) **South 89 degrees 51 minutes 52 seconds East, 198.00 feet** along the southerly line of said parcel of land conveyed to Champion Creek Land Holdings LLC, the southerly line of a parcel of land conveyed to Marcia L. Gorfido-Ross by Document 2002OR030111 Transfer Date August 1, 2002 Official Records Medina County and the southerly line of a parcel of land conveyed to Andrew C. and Cynthia D. Kason by Document 2025OR010914 Transfer Date June 30, 2025 Official Records Medina County to a 5/8 inch iron pin set at its intersection with a westerly line of said parcel of land conveyed to Andrew C. and Cynthia D. Kason;
- 2) **South 00 degrees 16 minutes 45 seconds West 23.60 feet** along a westerly line of said parcel of land conveyed to Andrew C. and Cynthia D. Kason to its intersection with the northerly line of a parcel of land conveyed to Habitat for Humanity of Medina County, Inc. by Document 2018OR024278 Transfer Date November 7, 2018 Official Records Medina County from which point a 5/8 inch iron pin found bears 1.03 feet North and 1.04 feet East;
- 3) **North 89 degrees 51 minutes 52 seconds West, 198.00 feet** along the northerly line of said parcel of land conveyed to Habitat for Humanity of Medina County, Inc., to a 5/8 inch iron pin set at its intersection with the easterly line of said South Huntington Street;

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- 4) **North 00 degrees 16 minutes 45 seconds East , 23.60 feet** along the easterly line of said South Huntington Street to the **Principal Place of Beginning** containing 4673 square feet or 0.1073 acres of land.

All iron pins set are 5/8-inch by 30-inch-long rebar with cap marked "ZARANEC PS-7126".

The bearings used in this description are based on ODOT Ohio County Coordinate System, Medina County NAD 83 (2011).

The above described parcel has no Auditor's Parcel Number.

This description was prepared by John M. Zaranec, Jr., P.S. 7126 of Euthenics Inc. and was based on a survey performed by Euthenics Inc. in March 2025.



A handwritten signature in blue ink, appearing to read "John M. Zaranec, Jr.", written in a cursive style.

John M. Zaranec Jr. P.S. 7126 April 28, 2026

