

RESOLUTION NO. 13 - 2016

**A RESOLUTION VACATING A SANITARY SEWER
EASEMENT AS RECORDED IN VOL. 896, PG. 993 AND
VOL. 896, PG. 927 OF THE LAKE COUNTY RECORDS, AND
DECLARING AN EMERGENCY.**

WHEREAS, the Village has title to a certain sanitary sewer easement recorded in Vol. 896, Pg. 993 and 896, Pg. 927 of the Lake County Records upon PPN 02-A-005-E-00-022-0 as depicted in the sketch attached hereto as Exhibit 1 and the legal description attached hereto as Exhibit 2; and

WHEREAS, the aforementioned sanitary sewer easement is not and has not been utilized for any purpose, further, the Village Engineer has opined that the easement is not needed for any future municipal purpose; and

WHEREAS, it appearing that the easement is not needed for any municipal purpose and that it therefore encumbers without cause the subject parcel and may impede its future beneficial development, the Council finds that it should be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That the sanitary sewer easement herein above described is and shall be vacated.

SECTION 2. That the Administrator is hereby authorized to execute such documents as required for recordation of the sanitary sewer easement vacation.

SECTION 3. That as a condition precedent to this vacation the property owner shall have filed with the Administrator its waiver of any claims against the Village of any nature related to this vacation, including but not limited to survey, preparation of drawings and legal description, preparation of legal instruments, and filing fees.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Madison in order to permit real property development to proceed without undue delay; wherefore, this Resolution shall take effect and be in force from and immediately upon passage.

PASSED:

6-20-16



Kenneth D. Takacs,
President of Council

Attested:



Kristie Crockett,
Acting Fiscal Officer / Clerk of Council

Approved:



Sam Britton, Jr.,
Mayor

6-20-16
Date



Polaris Engineering & Surveying
34600 Chardon Road Suite D
Willoughby Hills, Ohio 44094
Office: (440) 944-4433
Fax: (440) 944-3722

TUESDAY, MAY 03, 2016
LEGAL DESCRIPTION OF A SANITARY SEWER EASEMENT
TO BE VACATED/RELEASED AS RECORDED IN
VOL. 896, PG. 993 & VOL. 896, PG. 927

SITUATED IN THE VILLAGE OF MADISON, COUNTY OF LAKE, AND STATE OF OHIO, BEING PART OF ORIGINAL MADISON TOWNSHIP LOT 54, TOWNSHIP 11 NORTH, AND RANGE VI WEST OF THE CONNECTICUT WESTERN RESERVE;

BEGINNING AT THE NORTHWEST CORNER OF LANDS CONVEYED TO LAKE COUNTY YMCA, PERMANENT PARCEL NUMBER: 02-A-005-0-00-001-0, DOCUMENT #2003R058628, SAID POINT ALSO BEING IN THE CENTERLINE OF LAKE AVENUE (60 FEET WIDE);

THENCE NORTH 88° 45' 17" EAST, ALONG THE NORTHERLY SIDE LINE OF SAID LAKE COUNTY YMCA, 475.02 FEET TO THE NORTHEAST CORNER THEREOF AND THE PRINCIPAL PLACE OF BEGINNING:

COURSE 1: THENCE NORTH 01° 15' 02" WEST, 20.00 FEET TO A POINT;

COURSE 2: THENCE NORTH 88° 44' 58" EAST, 457.08 FEET TO A POINT;

COURSE 3: THENCE SOUTH 02° 00' 22" EAST, 172.22 FEET TO A POINT;

COURSE 4: THENCE NORTH 88° 35' 12" EAST, 154.12 FEET TO A POINT;

COURSE 5: THENCE SOUTH 01° 41' 23" EAST, 20.00 FEET TO A POINT;

COURSE 6: THENCE SOUTH 88° 35' 12" WEST, 173.91 FEET TO A POINT;

COURSE 7: THENCE NORTH 02° 00' 22" WEST, 172.23 FEET TO A POINT;

COURSE 8: THENCE SOUTH 88° 45' 17" WEST, 437.34 FEET TO THE PRINCIPAL PLACE OF BEGINNING, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD AND CONTAINING 0.3600 ACRES OF LAND (15,681 S.F.), AND CALCULATED AS DESCRIBED IN MAY, 2016 BY RICHARD A. THOMPSON JR. PROFESSIONAL LAND SURVEYOR #7388 OF POLARIS ENGINEERING AND SURVEYING. BEARINGS REFER TO THE OHIO COORDINATE SYSTEM OF 1983 - NORTH ZONE - 1986 ADJUSTMENT.



Richard A. Thompson Jr.

RICHARD A. THOMPSON, JR. P.S. #7388 – 05/03/16

S:\2015 PROJECTS\15234- RYAN HOMES - MADISON PRESERVE (BEAR PATH) (DRK)\PROJECT SURVEYING INFO\SURVEY LEGAL DOCUMENTS\EASEMENT VACATION DESCRIPTION.DOC



POLARIS ENGINEERING & SURVEYING, INC.
 3488 CHAMBER ROAD
 SUITE D
 WILLOUGHBY HILLS, OH 44094
 (440) 944-4433
 (440) 944-0722 (Fax)
 www.polaris-survey.com

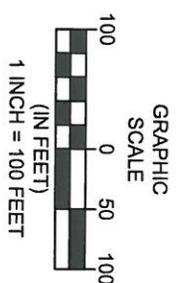
DATE: 09/02/2016
 SCALE: HOR. 1"=100'
 FOLDER: Incorporated Plans
 FILENAME: 02-A-005-E-00-022-0
 TAB: 01-ENR018
 DRAWN: JNG

Sketch to Accompany Legal Description
Sanitary Sewer Vacation
MADISON PRESERVE
 VILLAGE OF MADISON - LAKE COUNTY - OHIO

PREPARED FOR:
RYAN HOMES
 6770 W. SNOWHILL ROAD
 BRECKSVILLE, OHIO
 PHONE: (440) 584-4313
 CONTACT: CYNTHIA MCCABE



CONTRACT NO.
15234
 SHEET OF
01 01



BEARINGS SHOWN HEREON
 ARE BASED ON THE OHIO COORDINATE SYSTEM
 OF 1983 - NORTH ZONE, 1986 ADJUSTMENT.

| LINE | LENGTH | BEARING |
|------|--------|-------------|
| L1 | 20.00 | N01°15'02"W |
| L2 | 457.08 | N88°44'58"E |
| L3 | 172.22 | S02°00'22"E |
| L4 | 154.12 | N88°35'12"E |
| L5 | 20.00 | S01°41'23"E |
| L6 | 173.91 | S88°35'12"W |
| L7 | 172.23 | N02°00'22"W |
| L8 | 437.34 | S88°45'17"W |

1. STM. SEW. EASE.
Doc. #2003R065913
2. SAN. SEW. EASE.
Doc. #2003R065913
3. SAN. SEW. EASE.
Vol. 896, Page 993
4. STM. SEW. EASE.
Doc. #2003R065913
5. SAN. SEW. EASE.
Vol. 896, Page 927
6. SEW. EASE.
Doc. #2003R065913
7. SAN. SEW. EASE.
Vol. 896, Page 927
8. STM. SEW. EASE.
Doc. #2004R020517

SANITARY SEWER
 EASEMENT TO BE
 VACATED

