

CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2023-102

Introduced By: Mr. Bortolotto
Co-Sponsors: Mr. Meany, Mr. Grech

**A RESOLUTION
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
WITH SUSAN E. COBB FOR THE PURCHASE OF AN EASEMENT AS
PART OF THE SHELDON ROAD RESURFACING PROJECT**

WHEREAS, in advance of and as part of the Sheldon Road Resurfacing Project it is necessary for the City to acquire an easement on private residential property; and

WHEREAS, the easement is being acquired for a public purpose, namely the establishment, construction, reconstruction, widening, repair, or maintenance of a public road.

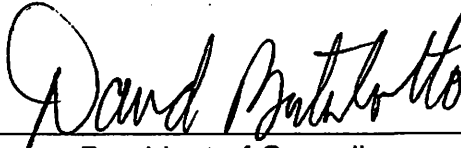
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That the Mayor is hereby authorized to enter into an agreement with Susan E. Cobb for the purchase of a perpetual easement described in Exhibit A attached, on the following described real estate: Parcel 7-SH (Sheldon Road CW-20).

Section 2: That there is hereby appropriated \$ 3,250.00 from the Streets/Infrastructure Improvements Fund to implement this Resolution.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 12/12/23


President of Council

Attest: M. Meala
Clerk of Council

Approved On: 12-14-23

Presented to Mayor: 12/13/23

Matthew Costa
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Grech	<u>ABSENT</u>	

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Res. 2023-102 adopted by the Council of the City of Middleburg Hts., on 12/12/23 was posted for a period of fifteen days, beginning 12/15/23 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola
Clerk

CERTIFICATE

I, Mary Ann Meola Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Res. 2023-102 passed on the 12th day of December 2023 by said Council.

Mary Ann Meola
Clerk of Council

EXHIBIT A

RX 270 SH

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VER. DATE 12/22/2022

**PARCEL 7-SH
(SHELDON ROAD CW-20)
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation, and/or utility maintenance work deemed appropriate by the State of Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

(Surveyor's description of the premises follows)

Situated in the City of Middleburg Heights, County of Cuyahoga, State of Ohio and being known as part of Original Middleburg Township Lot 1, Section 8 and being part of a parcel of land conveyed to Susan E. Cobb recorded in AFN 202109010575 Official Records Cuyahoga County, and bounded and described as follows:

Beginning at a 1 inch iron pin monument box found at the intersection of the centerline of Fry Road, 60.00 feet wide, and the centerline of Sheldon Road, 60.00 feet wide;

Thence S. 88⁰22'36" E., 1138.33 feet along the centerline of said Sheldon Road to a point therein;

Thence S. 01⁰37'24" W., 30.00 feet to its intersection with the southerly line of said Sheldon Road and the westerly line of Nantucket Lane, 60.00 feet wide, and being the **Principal Place of Beginning** of the parcel herein described:

Thence with the following five (5) courses:

- 1) S. 02⁰24'14" W., 12.50 feet along the westerly line of said Nantucket Lane, to a point therein;

EXHIBIT A

RX 270 SH

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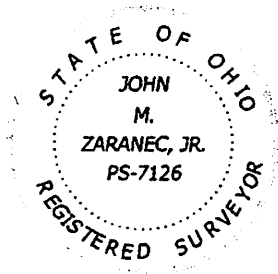
VER. DATE 12/22/2022

- 2) N. 87°35'46" W., 7.50 feet, to a point;
- 3) N. 21°12'34" W., 8.00 feet, to a point;
- 4) N. 49°28'42" W., 8.00 feet, to its intersection with the southerly line of said Sheldon Road;
- 5) S. 88°22'36" E., 17.00 feet, along the southerly line of said Sheldon Road to the **Principal Place of Beginning** and containing 137 square feet or 0.0031 acres of land more or less but subject to all legal highways.

The bearings used in this description are based upon the Ohio State Plane Coordinates System, North Zone, NAD83 (Conus)(Mol).

The above-described parcel being part of Auditor's Permanent Parcel No. 372-01-147.

This description was prepared by John M. Zaranec, Jr. P.S. 7126 and was based on a survey performed by Euthenics, Inc. in December, 2022.



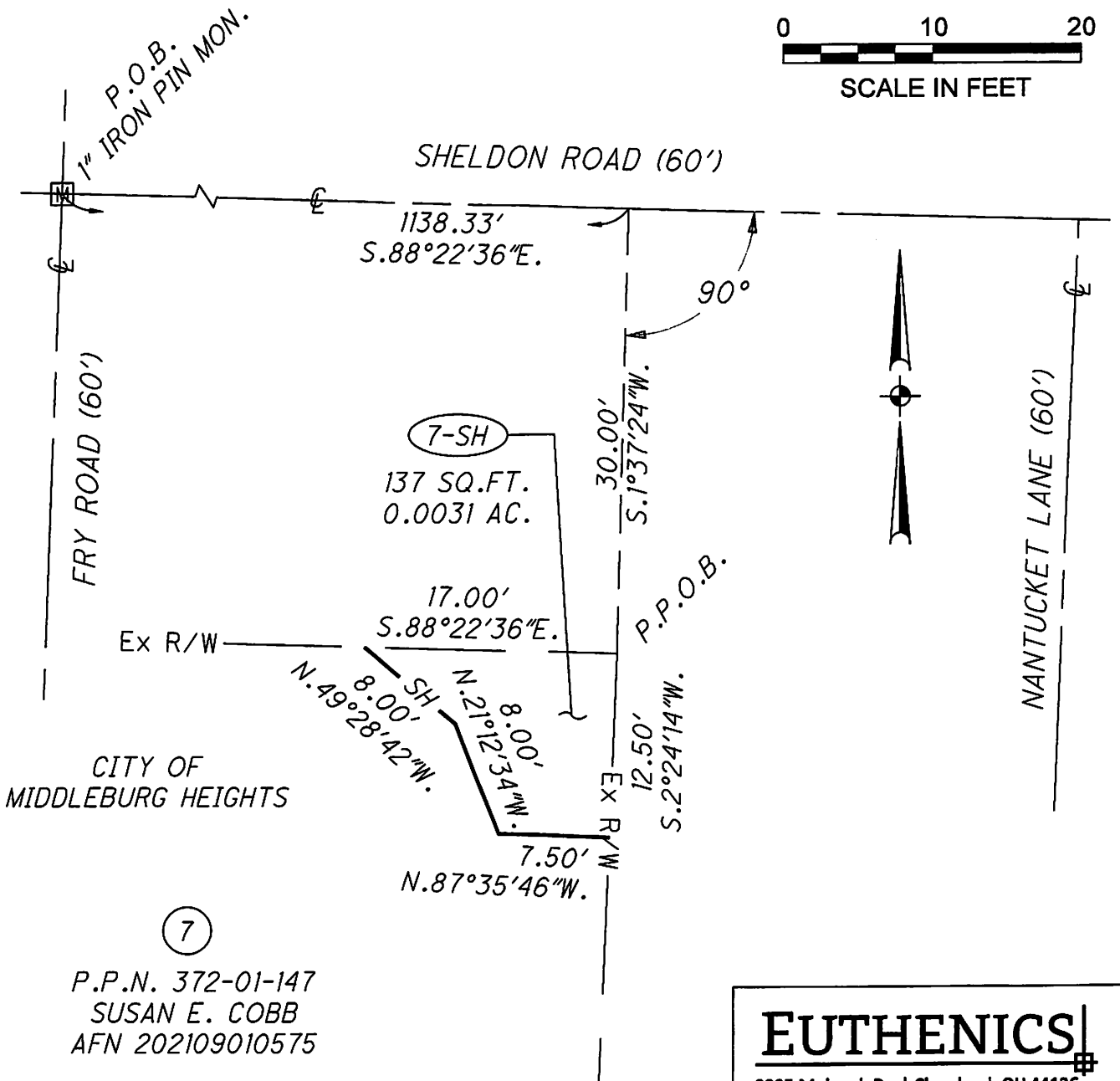
A handwritten signature in black ink, appearing to read "John M. Zaranec, Jr.", written over a light blue horizontal line.

PARCEL 7-SH EXHIBIT "A"

SITUATED IN THE CITY OF MIDDLEBURG HEIGHTS,
COUNTY OF CUYAHOGA, STATE OF OHIO AND
BEING KNOWN AS PART OF O.L. 1, SECTION 8 IN
ORIGINAL MIDDLEBURG TOWNSHIP

SHELDON ROAD CW-20
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

CITY OF BROOK PARK



EUTHENICS
8235 Mohawk Dr. | Cleveland, OH 44136