

CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2024-**1**

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

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH VALERIA L. RITTER, REGINA B. RITTER, AND MAGDALENE S. RITTER FOR THE PURCHASE OF A TEMPORARY 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 a temporary easement on private residential property; and

WHEREAS, the temporary 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 Valeria L. Ritter, Regina B. Ritter, and Magdalene S. Ritter for the purchase of a temporary easement described in Exhibit A attached, on the following described real estate:

Parcel(s): 1-T
PID 113312 CUY-Sheldon Road
PPN 371-17-002

Section 2: That there is hereby appropriated \$ 500.00 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: 1/9/24

David Bortolotto
President of Council

Attest: M. Meola
Clerk of Council

Approved On: 1-10-24

Presented to Mayor: 1/10/24

Matthew Grech
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. 2024-1 adopted by the Council of the City of Middleburg Hts., on 1/9/24 was posted for a period of fifteen days, beginning 1/11/24 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. 2024-1 passed on the 9th day of January 20 24 by said Council.

Mary Ann Meola
Clerk of Council

TEMPORARY EASEMENT

Valeria L. Ritter, Regina B. Ritter, and Magdalene S. Ritter, the Grantor(s), in consideration of the sum of \$500.00, to be paid by The City of Middleburg Heights, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T

PID 113312 CUY-SHELDON RD

SEE EXHIBIT A ATTACHED

Cuyahoga County Current Tax Parcel No. 37117-002

Prior Instrument Reference: Instrument NO. 200211010859 and Instrument NO. 200206211012, Cuyahoga County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 6 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Magdalene S. Ritter have hereunto set her hand on the.

16th day of October, 2023.


MAGDALENE S. RITTER

STATE OF OHIO, COUNTY OF CUYAHOGA SS:

BE IT REMEMBERED that on the 16 day of Oct., 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Magdalene S. Ritter who acknowledged the foregoing instrument to be her voluntary act and deed. No oath or affirmation was administered to Magdalene S. Ritter 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.



ALBANO MAHILAJ
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES



NOTARY PUBLIC

My Commission expires: 11-13-24

This document was prepared by: The City of Middleburg Heights

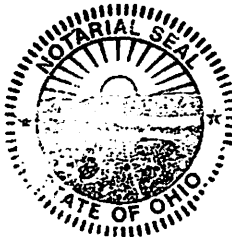
IN WITNESS WHEREOF Regina B. Ritter have hereunto set her hand on the 16
day of OCTOBER, 2023.

Regina B. Ritter
REGINA B. RITTER

STATE OF OHIO, COUNTY OF CUYAHOGA SS:

BE IT REMEMBERED that on the 16 day of OCTOBER, 2023, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Regina B. Ritter who acknowledged the foregoing instrument to be her voluntary act and
deed. No oath or affirmation was administered to Regina B. Ritter 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.



ALBANO MAHILAJ
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES

Albano Mahilaj

NOTARY PUBLIC

My Commission expires: 11-13-24

This document was prepared by: The City of Middleburg Heights

1. The first part of the document is a list of items.

2. The second part is a list of items.

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IN WITNESS WHEREOF Valeria L. Ritter have hereunto set her hand on the Oct 16 2023

day of _____, _____.

Valeria Ritter
VALERIA L. RITTER

STATE OF OHIO, COUNTY OF CUYAHOGA SS:

BE IT REMEMBERED that on the 16 day of ~~Oct~~ Oct, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Valeria L. Ritter who acknowledged the foregoing instrument to be her voluntary act and deed. No oath or affirmation was administered to Valeria L. Ritter 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.



ALBANO MAHILAJ
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES

Albano Mahilaj
NOTARY PUBLIC
My Commission expires: 11-13-24

This document was prepared by: The City of Middleburg Heights

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 350

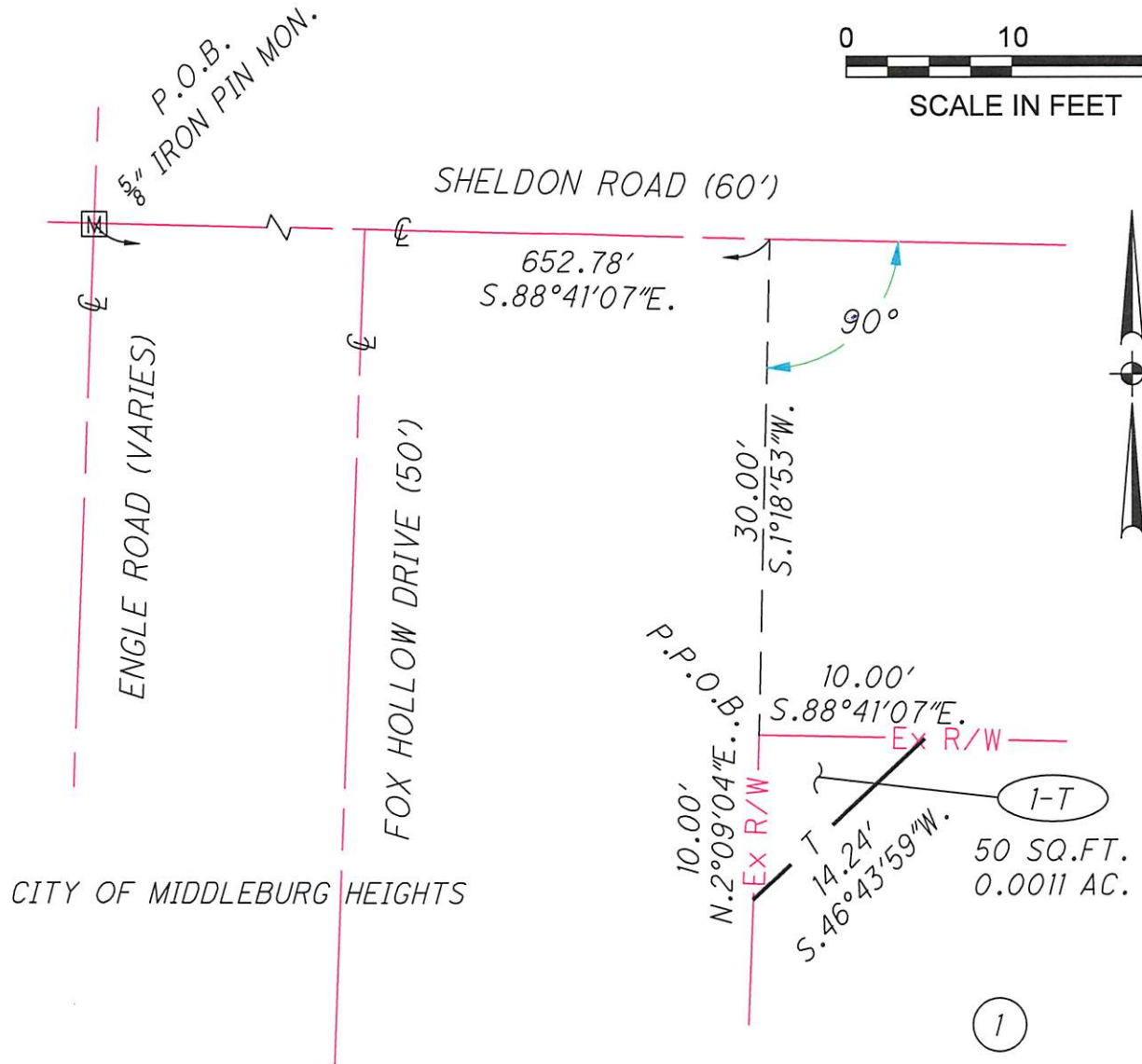
PROFESSOR

PARCEL 1-T EXHIBIT "A"

SITUATED IN THE CITY OF MIDDLEBURG HEIGHTS,
COUNTY OF CUYAHOGA, STATE OF OHIO AND
BEING KNOWN AS PART OF O.L. 6, SECTION 8 IN
ORIGINAL MIDDLEBURG TOWNSHIP

SHELDON ROAD CW-5
TEMPORARY EASEMENT FOR HIGHWAY PURPOSES

CITY OF BROOK PARK



CITY OF MIDDLEBURG HEIGHTS

①

P.P.N. 371-17-002
RAYMOND P. RITTER
AFN 200211010859

EUTHENICS
8235 Mohawk Dr. | Cleveland, OH 44136

THE BOARD OF
DIRECTORS

OF THE
CITY OF
CHICAGO

IN A RESOLUTION
PASSED AT A REGULAR MEETING

Held at the
City Hall
Chicago, Illinois
this 15th day of
January, 1915

Resolved, That the
City Clerk be and he
is authorized to
execute the following

Resolution:
That the City Clerk
be and he is authorized
to execute the following
Resolution:

That the City Clerk
be and he is authorized
to execute the following
Resolution:

That the City Clerk
be and he is authorized
to execute the following
Resolution:

EXHIBIT A

RX 286 T

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Rev. 12/16

VER. DATE 12/22/2022

**PARCEL 1-T
(SHELDON ROAD CW-5)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
MAKE ROADWAY IMPROVEMENTS
FOR APPROXIMATELY 12 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

(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 6, Section 8 and being part of a parcel of land conveyed to Raymond P. Ritter recorded in AFN 200211010859 Official Records Cuyahoga County, and bounded and described as follows:

Beginning at a 5/8 inch iron pin monument box found at the intersection of the centerline of Engle Road, Width Varies, and the centerline of Sheldon Road, 60.00 feet wide;

Thence S. 88°41'07" E., 652.78 feet along the centerline of said Sheldon Road to a point therein;

Thence S. 01°18'53" W., 30.00 feet to its intersection with the southerly line of said Sheldon Road and the easterly line of Fox Hollow Drive, 50.00 feet wide, and being the **Principal Place of Beginning** of the parcel herein described:

Thence with the following three (3) courses:

- 1) **S. 88°41'07" E., 10.00 feet** along the southerly line of said Sheldon Road, to a point therein;
- 2) **S. 46°43'59" W., 14.24 feet**, to its intersection with the easterly line of said Fox Hollow Drive;
- 3) **N. 02°09'04" E., 10.00 feet**, along the easterly line of said Fox Hollow Drive to the **Principal Place of Beginning** and containing 50 square feet or 0.0011 acres of land more or less but subject to all legal highways.

EXHIBIT A

RX 286 T

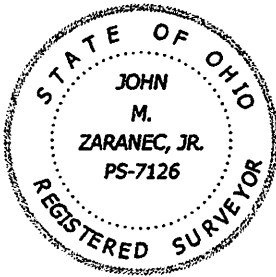
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VER. DATE 12/22/2022

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. 371-17-002.

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.