

A RESOLUTION ACCEPTING AN EASEMENT FOR HIGHWAY PURPOSES

BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Council of the Village of Richfield does hereby accept the easement from Allyn Eastwood for highway purposes, a copy of which easement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: March 21, 2000

Michael J. Lepers.
President of Council

Donald W. Jensen
Mayor

Dated: 3/22/2000

ATTEST:

Carol Gibson
Clerk of Council

EXHIBIT "A"
EASEMENT FOR HIGHWAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

That Allyn Eastwood, hereinafter referred to as the Grantor, for and in consideration of certain good and valuable considerations and the sum of _____ Dollars (\$) _____ paid by the Village of Richfield, hereinafter referred to as the Grantee, the full receipt whereof is hereby acknowledged, does/do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right-of-way for public highway and road purposes along with any utility construction, relocation and/or utility maintenance work as deemed appropriate by the Grantee upon, and over the following described land. Further more the Grantee shall have the perpetual right to reenter the following described tract of land to perform any and all maintenance, without further compensation to the Grantor.

Being a parcel of land as shown on the drawing titled "Highway Easement at Alger and Broadview" on file at office of the Summit County Engineer.

Situated in the State of Ohio, County of Summit, Village of Richfield, also being Range 12 West, Township 4 North, Tract 1, and being part of Original Lots 17 and 18 being more fully described as follows:

Beginning at a railroad spike marking the centerline intersection of Alger Road, C.H. 179, 60 feet wide, and Broadview Road, SR 176, 60 feet wide;

Thence along the centerline of Alger Road N 01°46'25"E a distance of 102.02 feet;

Thence N 88°13'35"W a distance of 30.00 feet to the intersection of the west line of Alger Road and the east line of Broadview Road and the True Place of Beginning for the easement herein described;

Thence along the east line of Broadview Road N 30°59'57"W a distance of 26.05 feet to a #6 rebar with a cap marked Summit County Engineer set;

Thence N 83°29'28"E a distance of 14.25 feet to the west line of Alger road and a #6 rebar with a cap marked Summit County Engineer set;

Thence along the west line of Alger road S 01°46'25"W a distance of 23.96 feet to the True Place of Beginning.

The above described easement contains 169 square feet or 0.004 acres.

The basis of bearing is grid north of the Ohio State Plane Coordinate System.

The area described above is part of Auditor's Parcel No, 5000118 which contains 1.02 acres and is claimed by the Grantor through instrument(s) recorded in Deed Volume 5885, Pages 617-619 of Summit County Records. The parcel is also known as 4553 Broadview Road.

This description was written under the direct supervision of Summit County Engineer, Gene Esser, Professional Surveyor #7414, and is based on a survey made by Gene Esser in January 2000.

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 (ourselves)(himself)(herself) and (our)(my) heirs, executors, and administrators, hereby covenant with the said Grantee, its successors and assigns that (they)(he)(she) (are)(is) the true and lawful owner(s) of said premises, and (we)(I) (are)(am) 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 manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever.

And for the aforesaid consideration (we)(I), _____ , hereby relinquish to said Grantee, its successors and assigns, all right and expectancy of Dower in the above-described premises.

IN WITNESS WHEREOF _____ ,
have hereunto set (our)(my) hand(s), the ____ day of _____, 2000.

Signed and sealed in the presence of:

STATE OF OHIO, COUNTY _____, ss. _____

Before me, a Notary Public in and for said County, personally appeared _____
_____, who

acknowledged that _____ did sign the foregoing instrument, and that the same is _____ free act and deed.

IN WITNESS WHEREOF, I have hereto set my hand and official seal this _____ day of _____, 2000.

Notary Public

My commission expires _____, _____

This instrument prepared by:

Micheal R. Stith Attorney at Law
Ohio Supreme Court Reg. No. 5137.
Office of County of Summit Engineer
538 E. South Street
Akron, OH 44311-1843
(330) 643-2850