

RESOLUTION R-2-86

A RESOLUTION BY THE COUNCIL OF THE VILLAGE OF SPENCER,  
OHIO TO DECLARE ITS INTENTION TO APPROPRIATE FOR STORM  
SEWER AND STREET IMPROVEMENT PURPOSES PERMANENT AND  
CONSTRUCTION EASEMENTS

BE IT RESOLVED, by the Council of the Village of Spencer, Ohio as  
follows:

1. This Council hereby deems it necessary and declares its intention  
to appropriate for storm sewer, surface water retention and street improvement  
purposes permanent and construction easements in and to the premises described  
in Exhibits A through G, attached hereto and made a part hereof.

2. The Mayor is hereby authorized and directed to cause written notice  
of the passage of this Resolution to be given to the owners, persons in  
possession or having an interest of record in the above described premises  
and said notice shall be served according to law by a person designated for  
that purpose by the Mayor and such person shall make return of the service  
of notice in the manner provided by law.

PASSED: February 26, 1986

  
\_\_\_\_\_  
Mayor

ATTEST:

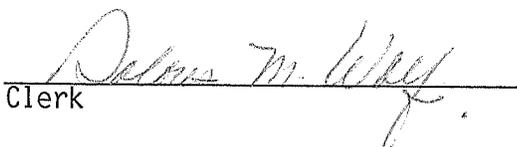
  
\_\_\_\_\_  
Clerk

EXHIBIT A

# BOCK & CLARK

537 NO. CLEVELAND-MASSILLON ROAD AKRON, OHIO 44313

Consulting Engineers  
Land Surveying  
Development Planning  
Topographic Surveys  
Oil & Gas Well Mapping  
Location Services

Akron: (216) 666-7578  
Cleveland: (216) 589-4947  
Ohio Wats: 800-362-8996

Description of Permanent Easement  
on the Clyde C. & Viola I. McComas Property  
prepared for the Village of Spencer, Ohio

Situated in the State of Ohio, County of Medina, and Village of Spencer; And Known as being a part of Lot 2 of Section 13 of the Original Spencer Township, bounded and described as follows:

Beginning at the intersection of the east right of way line of the Norfolk and Western Railway and the north right of way line of East Main Street, also known as State Route 162; said point being the southeast corner of lands, now or formerly, owned by Larry D. Clifford and Gene R. Clifford;

Thence South  $89^{\circ} 18' 47''$  East along the north right of line of said East Main Street and along the south line of said Clifford property a distance of 50.00 feet to the southeast corner of said Clifford property; said point also being the southwest corner of lands, now or formerly, owned by Clyde C. & Viola I. McComas;

Thence North  $00^{\circ} 41' 13''$  East along the east line of said Clifford property and along the west line of said McComas property a distance of 297.00 feet to the northeast corner of said Clifford property;

Thence North  $89^{\circ} 18' 47''$  West along the north line of said Clifford property and along a south line of said McComas property a distance of 73.70 feet to the True Place of Beginning of the easement herein described;

Thence continuing along the north line of said Clifford property North  $89^{\circ} 18' 47''$  West a distance of 76.14 feet to a point;

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Description of Permanent Easement  
on the McComas Property

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Thence the following courses along the west side of the easement herein described:

North 64° 55' 03" East 43.59 feet;  
North 04° 18' 28" East 372.15 feet;  
North 17° 02' 43" West 126.42 feet;  
North 40° 01' 05" West 199.85 feet;  
North 26° 40' 59" West 107.52 feet;

Thence North 40° 08' 42" West a distance of 74.99 feet to a point in the south right of way line of the A. C. & Y. Railroad and in the north line of said McComas Property;

Thence North 86° 37' 18" East along the south right of way line of the A. C. & Y. Railroad and the north line of said McComas Property a distance of 262.40 feet to a point;

Thence the following courses along the east line of the easement herein described:

South 17° 49' 33" East 180.00 feet;  
South 01° 23' 22" West 72.73 feet;  
South 38° 53' 37" West 85.70 feet;  
South 17° 02' 43" East 133.58 feet;

Thence South 04° 18' 28" West a distance of 395.87 feet to the TRUE PLACE OF BEGINNING and containing within said bounds 1.8318 Acres of Land, more or less, but subject to all legal highways as surveyed by Carl M. Clark, Registered Surveyor No. 6358, of Bock & Clark in November 1985.

Project No. 81137

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## Description of Temporary East Easement on the Clyde C. & Viola I. McComas Property prepared for the Village of Spencer, Ohio

Situated in the State of Ohio, County of Medina, and Village of Spencer; And Known as being a part of Lot 2 of Section 13 of the Original Spencer Township, bounded and described as follows:

Beginning at the intersection of the east right of way line of the Norfolk and Western Railway and the north right of way line of East Main Street, also known as State Route 162; said point being the southeast corner of lands, now or formerly, owned by Larry D. Clifford and Gene R. Clifford;

Thence South  $89^{\circ} 18' 47''$  East along the north right of line of said East Main Street and along the south line of said Clifford property a distance of 50.00 feet to the southeast corner of said Clifford property; said point also being the southwest corner of lands, now or formerly, owned by Clyde C. & Viola I. McComas;

Thence North  $00^{\circ} 41' 13''$  East along the east line of said Clifford property and along the west line of said McComas property a distance of 297.00 feet to the northeast corner of said Clifford property;

Thence North  $89^{\circ} 18' 47''$  West along the north line of said Clifford property and along a south line of said McComas property a distance of 58.67 feet to the True Place of Beginning;

Thence continuing North  $89^{\circ} 18' 47''$  West along the north line of said Clifford property and along a south line of said McComas property a distance of 15.03 feet to a point;

Thence the following courses:

North  $04^{\circ} 18' 28''$  East a distance of 395.87 feet;  
North  $17^{\circ} 02' 43''$  East a distance of 133.58 feet;  
North  $38^{\circ} 53' 37''$  East a distance of 18.10 feet;  
South  $17^{\circ} 02' 43''$  East a distance of 146.55 feet;

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Description of Temp. East Easement  
on the McComas Property

Thence South  $04^{\circ} 18' 28''$  West a distance of 397.74 feet to the TRUE PLACE OF BEGINNING and containing within said bounds 0.1849 Acres of Land, more or less, but subject to all legal highways as surveyed by Carl M. Clark, Registered Surveyor No. 6358, of Bock & Clark in November 1985.

This description is intending to describe a 15.00 foot wide temporary work easement along part of East side of the proposed Permanent Easement.

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## Description of Temporary West Easement on the Clyde C. & Viola I. McComas Property prepared for the Village of Spencer, Ohio

Situated in the State of Ohio, County of Medina, and Village of Spencer; And Known as being a part of Lot 2 of Section 13 of the Original Spencer Township, bounded and described as follows:

Beginning at the intersection of the east right of way line of the Norfolk and Western Railway and the north right of way line of East Main Street, also known as State Route 162; said point being the southeast corner of lands, now or formerly, owned by Larry D. Clifford and Gene R. Clifford;

Thence South  $89^{\circ} 18' 47''$  East along the north right of line of said East Main Street and along the south line of said Clifford property a distance of 50.00 feet to the southeast corner of said Clifford property; said point also being the southwest corner of lands, now or formerly, owned by Clyde C. & Viola I. McComas;

Thence North  $00^{\circ} 41' 13''$  East along the east line of said Clifford property and along the west line of said McComas property a distance of 297.00 feet to the northeast corner of said Clifford property;

Thence North  $89^{\circ} 18' 47''$  West along the north line of said Clifford property and along a south line of said McComas property a distance of 149.84 feet to the True Place of Beginning;

Thence continuing North  $89^{\circ} 18' 47''$  West along the north line of said Clifford property and along a south line of said McComas property a distance of 34.53 feet to a point;

(continued on Page 2)

Description of Temp. West Easement  
on the McComas Property

Page 2

Thence the following courses:

North 64° 55' 03" East a distance of 65.93 feet;  
North 04° 18' 28" East a distance of 360.56 feet;  
North 17° 02' 43" West a distance of 158.97 feet;  
South 40° 01' 05" East a distance of 38.43 feet;  
South 17° 02' 43" East a distance of 126.42 feet;  
South 04° 18' 28" West a distance of 372.15 feet;

Thence South 64° 55' 03" West a distance of 46.59 feet to the TRUE PLACE OF BEGINNING and containing within said bounds 0.1942 Acres of Land, more or less, but subject to all legal highways as surveyed by Carl M. Clark, Registered Surveyor No. 6358, of Bock & Clark in November 1985.

This description is intending to describe a 15.00 foot wide temporary work easement which lies immediately to the west of a part of the permanent easement.

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# **BOCK & CLARK**

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## **Description of Temporary Front Easement on the Clyde C. & Viola I. McComas Property prepared for the Village of Spencer, Ohio**

Situated in the State of Ohio, County of Medina, and Village of Spencer; And Known as being a part of Lot 2 of Section 13 of the Original Spencer Township, bounded and described as follows:

Beginning at the intersection of the east right of way line of the Norfolk and Western Railway and the north right of way line of East Main Street, also known as State Route 162; said point being the southeast corner of lands, now or formerly, owned by Larry D. Clifford and Gene R. Clifford;

Thence South  $89^{\circ} 20' 40''$  East along the north right of line of said East Main Street and along the south line of said Clifford property a distance of 50.00 feet to the southeast corner of said Clifford property; said point also being the southwest corner of lands, now or formerly, owned by Clyde C. & Viola I. McComas and said point being the True Place of Beginning of the easement herein described;

Thence Due North along the west line of said McComas property a distance of 25.00 feet;

Thence South  $89^{\circ} 20' 40''$  East along a line parallel to the centerline of said East Main Street a distance of about 207.31 feet to the east line of said McComas property and the west line of lands, now or formerly, owned by Everett B. & Mona M. Larkey;

Thence Due South along the west line of said Larkey property and along the east line of said McComas property a distance of 25.00 feet to the north right of way line of said East Main Street;

Thence North  $89^{\circ} 20' 40''$  West along the north right of way line of said East Main Street a distance of about 207.31 feet to the True Place of Beginning and containing within said bounds 0.1159 Acres of Land, more or less, but subject to all legal highways.

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## Description of Easement on the Ernest H. Knapp Property for the Village of Spencer, Ohio

Situated in the State of Ohio, County of Medina, and Village of Spencer; And known as being a part of Original Spencer Township Lot 1 of Section 13, bounded and described as follows:

Beginning at the intersection of the south right of way line of East Main Street, State Route 162, and the southwest right of way line of the Norfolk & Western R.R.;

Thence Southeasterly along the right of way line of said Norfolk & Western R.R. and along an arc of a curve deflecting to the west a distance of 49.08 feet to a point;

Thence North  $71^{\circ} 11' 09''$  West a distance of 100.55 feet to a point;

Thence Due North a distance of 9.81 feet to a point in the south right of way line of said East Main Street;

Thence South  $89^{\circ} 20' 40''$  East along said south right of way line a distance of 68.47 feet to the Place of Beginning and containing within said bounds 0.0427 Acres of Land, more or less, but subject to all legal highways.

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Situated in the State of Ohio, County of Medina, and Village of Spencer; And known as being a part of Original Spencer Township Lot 1 of Section 13, bounded and described as follows:

Beginning at the intersection of the south right of way line of East Main Street, State Route 162, and the southwest right of way line of the Norfolk & Western R.R.;

Thence Southeasterly along the right of way line of said Norfolk & Western R.R. and along an arc of a curve deflecting to the west a distance of 49.08 feet to the True Place of Beginning;

Thence North  $83^{\circ} 33' 48''$  West a distance of 78.51 feet to a point;

Thence North  $76^{\circ} 50' 50''$  West a distance of 92.42 feet to a point;

Thence North  $89^{\circ} 20' 40''$  West along a line parallel to the centerline of said East Main Street a distance of about 79.00 feet to the west line of lands, now or formerly, owned by Ernest H. Knapp, and to the east line of lands, now or formerly, owned by Crites;

Thence North along the west line of said Knapp property a distance of 15.00 feet to the south right of way line of said East Main Street;

Thence South  $89^{\circ} 20' 40''$  East along the south right of way line of said East Main Street a distance of 151.66 feet to a point;

Thence South a distance of 9.81 feet to a point;

Thence South  $71^{\circ} 11' 09''$  East a distance of 100.55 feet to the True Place of Beginning and containing within said bounds 0.0860 Acres of Land, more or less, but subject to all legal highways.

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Beginning at the intersection of the south right of way line of East Main Street, State Route 162, and the northeasterly right of way line of the Norfolk & Western R.R.;

Thence South  $89^{\circ} 20' 40''$  East along the south right of way line of said East Main Street a distance of 541.09 feet to a point;

Thence South a distance of 15.00 feet to a point;

Thence North  $89^{\circ} 20' 40''$  West along a line parallel to the centerline of said East Main Street a distance of 480.00 feet to a point;

Thence South  $68^{\circ} 43' 39''$  West a distance of 61.16 feet to said northeasterly right of way line of said Norfolk & Western R.R.;

Thence Northwesterly along said Railroad right of way line and along an arc of a curve deflecting to the west a distance of 45.00 feet to the Place of Beginning and containing within said bounds 0.2034 Acres of Land, more or less, but subject to all legal highways.