

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE PROPERTY INTERESTS FROM COER PROPERTIES, LLC FOR THE STATE ROUTE 91 AND NORTON ROAD INTERSECTION IMPROVEMENT PROJECT THROUGH AN APPROPRIATION AUTHORIZED BY ORDINANCE NO. 15-163; AND DECLARING AN EMERGENCY.

WHEREAS, because the City was unable to initially negotiate an acceptable amount with the property owner, Coer Properties, LLC, for acquisition of the property interests needed for the road improvement project known as the State Route 91 and Norton Road Intersection Improvement Project (the "Project"), the City filed an appropriation action in the Summit County Probate Court, Case No. 2015-CV-173; and

WHEREAS, the property owner and the City have negotiated an agreed upon amount to acquire the property interests necessary for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1. The City Manager is authorized to cause payment to Coer Properties, LLC in the amount of \$91,678.00 for the property interests set forth in the attached "Exhibit A", and an additional amount of up to \$4,000.00 for miscellaneous expenses related to the subject properties.

Section 2. This Resolution is determined to be an emergency measure immediately necessary for the preservation of the public health, safety and general welfare and for the further reason that the aforesaid acquisition of property interests is necessary for the Project to continue during this construction season; wherefore, this Resolution shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five (5) members of Council or six (6) affirmative votes if all members of Council are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution was duly passed by the Council of said Municipality on _____, 2016.

Elizabeth Slagle, Clerk of Council

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Ver. Date 01/29/15

PID 93452

**PARCEL 11-WD
SUM-SR 91 AND NORTON ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF HUDSON, SUMMIT COUNTY, OHIO**

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 Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by COER PROPERTIES, per Reception Number 55588019, and being more fully described as follows:

Being a parcel of land located on the left side of the centerline of State Route 91 (Darrow Road) per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence N 00° 44' 09" W, 280.06 feet, along the existing State Route 91 (Darrow Road) centerline to a point, said point being 00.00 feet left of State Route 91 (Darrow Road) centerline of right of way Station 1641+72.45, said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence S 89° 18' 36" W, 43.00 feet, along the Grantor's south line to a rebar set on the proposed west right of way line of State Route 91 (Darrow Road), said rebar being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1641+72.49;

Thence N 00° 44' 09" W, 59.74 feet, along the proposed west right of way line of State Route 91 (Darrow Road) to a rebar set on the south line of a parcel now or formerly owned by Coer Properties, as recorded in Reception Number 56064040 of the Summit County Recorder's

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Office, said rebar being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23;

Thence N 89° 18' 36" E, 43.00 feet, along the south line of said Coer Properties to the existing centerline State Route 91 (Darrow Road), said point being located 00.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.19;

Thence S 00° 44' 09" E, 59.74 feet along the existing centerline of State Route 91 (Darrow Road), to the point of beginning and containing 0.059 acres of land, more or less, of which 0.045 acres of land, more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009887.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on January 29, 2015, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are 5/8" diameter x 30" long with rebar with plastic I.D. Cap stamped "URS CORP."


Dan Stankavich, P.S. 7122

January 29, 2015
Date



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Ver. Date 05/10/2016

PID 93452

**PARCEL 11-TV
SUM-SR 91 AND NORTON ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
DRIVE RECONSTRUCTION, GRADE & SEED
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITIES OF HUDSON AND STOW, AND THEIR CONTRACTORS AND
SUBCONTRACTORS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by COER PROPERTIES, per Reception Number 55588019, and being more fully described as follows:

Being a parcel of land located on the left side of the centerline of State Route 91 (Darrow Road) per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence N 00° 44' 09" W, 280.06 feet, along the existing State Route 91 (Darrow Road) centerline to a point, said point being 00.00 feet left of State Route 91 (Darrow Road) centerline of right of way Station 1641+72.45; Thence S 89° 18' 36" W, 43.00 feet, along the Grantor's south line to a point on the proposed west right of way line of State Route 91 (Darrow Road), said point being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1641+72.49, said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence continuing S 89° 18' 36" W, 27.75 feet, along the Grantor's south line, to a point being located 70.75 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1641+72.51;

Thence N 00° 44' 09" W, 25.00 feet, through the Grantor's property, to a point being located 70.75 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1641+97.51;

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Thence N 35° 32' 14" E, 30.67 feet, through the Grantor's property, to a point being located 52.60 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+22.24;

Thence N 02° 53' 00" E, 10.02 feet, to the Grantor's north line, to a point being located 51.97 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23;

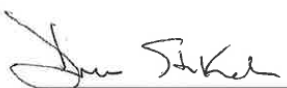
Thence N 89° 18' 36" E, 8.97 feet, along the Grantor's north line to the proposed west right of way line of State Route 91 (Darrow Road), to a point being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23;

Thence S 00° 44' 09" E, 59.74 feet along the proposed west right of way line of State Route 91 (Darrow Road), to the point of beginning and containing 0.029 acres of land, more or less.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009887.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on May 10, 2016 and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.



Dan Stankavich, P.S. 7122



May 10, 2016
Date

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Ver. Date 05/10/2016

PID 93452

**PARCEL 13-TV
SUM-SR 91 AND NORTON ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
DRIVE RECONSTRUCTION, GRADE & SEED
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITIES OF HUDSON AND STOW, THEIR CONTRACTORS AND
SUBCONTRACTORS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by COER PROPERTIES LLC., per Reception Number 56064040, and being more fully described as follows:

Being a parcel of land located on the left side of the centerline of State Route 91 (Darrow Road) per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence N 00° 44' 09" W, 339.80 feet, along the existing State Route 91 (Darrow Road) centerline to a point, said point being 00.00 feet left of State Route 91 (Darrow Road) centerline of right of way Station 1642+32.19; Thence S 89° 18' 36" W, 43.00 feet, along the Grantor's south line to a point on the proposed west right of way line of State Route 91 (Darrow Road), said point being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23, said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence continuing S 89° 18' 36" W, 8.97 feet, along the Grantor's south line to a point, said point being located 51.97 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23;

Thence N 02° 53' 00" E, 146.07 feet, through the Grantor's property, to a point being located 42.75 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1643+78.01;

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Thence N 89° 15' 51" E, 9.75 feet, through the Grantor's property to a point on the existing west right of way line of State Route 91 (Darrow Road), said point being located 33.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1643+78.01;

Thence S 00° 44' 09" E, 61.13 feet, along the existing west right of way line of State Route 91 (Darrow Road) to a point, said point being located 33.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1643+16.88;

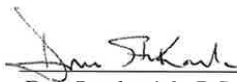
Thence S 11° 40' 27" W, 46.53 feet, along the proposed west right of way line of State Route 91 (Darrow Road) to a point, said point being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+71.43;

Thence S 00° 44' 09" E, 39.21 feet along the proposed centerline of State Route 91 (Darrow Road), to the point of beginning and containing 0.034 acres of land, more or less.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009888.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on May 10, 2016, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.


Dan Stankavich, P.S. 7122



May 10, 2016
Date

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Ver. Date 01/29/15

PID 93452

**PARCEL 13-WD
SUM-SR 91 AND NORTON ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF HUDSON, SUMMIT COUNTY, OHIO**

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 Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by COER PROPERTIES LLC., per Reception Number 56064040, and being more fully described as follows:

Being a parcel of land located on the left side of the centerline of State Route 91 (Darrow Road) per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence N 00° 44' 09" W, 339.80 feet, along the existing State Route 91 (Darrow Road) centerline to a point, said point being 00.00 feet left of State Route 91 (Darrow Road) centerline of right of way Station 1642+32.19, said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence S 89° 18' 36" W, 43.00 feet, along the Grantor's south line to a rebar set on the proposed west right of way line of State Route 91 (Darrow Road), said rebar being located 43.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+32.23;

Thence N 00° 44' 09" W, 39.21 feet, through the Grantor's property and along the proposed west right of way line of State Route 91 (Darrow Road) to a rebar set, said rebar being located 43.00

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feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1642+71.43;

Thence N 11° 40' 27" E, 46.53 feet, through the Grantor's property to the existing west right of way line of State Route 91 (Darrow Road) to a rebar set, said rebar being located 33.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1643+16.88;

Thence N 00° 44' 09" W, 131.53 feet, along the existing west right of way line of State Route 91 (Darrow Road) to a rebar set on the Grantor's north line, said rebar being located 33.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1644+48.41;

Thence N 89° 18' 36" E, 33.00 feet, along the north line of the Grantor's parcel to the existing centerline State Route 91 (Darrow Road), said point being located 00.00 feet left of the existing State Route 91 (Darrow Road) centerline of right of way Station 1644+48.38;

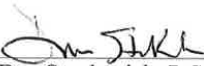
Thence S 00° 44' 09" E, 216.19 feet along the existing centerline of State Route 91 (Darrow Road), to the point of beginning and containing 0.178 acres of land, more or less, of which 0.164 acres of land, more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009888.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on January 29, 2015, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are 5/8" diameter x 30" long with rebar with plastic I.D. Cap stamped "URS CORP."


Dan Stankavich, P.S. 7122



Jan 29, 2015
Date

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Ver. Date 1/29/2015

PID 93452

**PARCEL 21-WD
SUM-SR 91 AND NORTON ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF HUDSON, SUMMIT COUNTY, OHIO**

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 Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by Coer Properties, per Reception Number 55964272, and being more fully described as follows:

Being a parcel of land located on the left side of Norton Road per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence S 89° 18' 36" W, 528.00 feet, along the existing centerline of Norton Road, said point being 00.00 feet left Norton Road centerline of right of way Station 44+57.75; Thence N 00° 44' 09" W, 20.00 feet, to a point, said point being located 20.00 feet left of the existing Norton Road centerline of right of way Station 44+57.73, said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence S 89° 18' 36" W, 219.28 feet, along the Grantor's south line and the existing north line of Norton Road to a point, said point being located 20.00 feet left of the existing Norton Road centerline of right of way Station 42+38.45;

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Thence N 86° 28' 58" W, 3.05 feet, along the Grantor's south line and the existing north line of Norton Road to a point on the east property line of a parcel now or formerly owned by Marth L. Englehart, Trustee of the Martha L. Englehart Revocable living Trust Dated May 4, 2010, as recorded in Reception Number 55700449 of the Summit County Recorder's Office, said point being located 20.22 feet left of the existing Norton Road centerline of right of way Station 42+35.41;

Thence N 00° 42' 13" W, 22.28 feet, along said Marth L. Englehart, Trustee of the Martha L. Englehart Revocable living Trust Dated May 4, 2010 property to a rebar set, said rebar being located 42.50 feet left of the existing Norton Road centerline of right of way Station 42+35.40;

Thence N 89° 18' 36" E, 222.31 feet, through the Grantor's property and on the proposed north line of Norton Road to a rebar set on the west property line of a parcel now or formerly owned by Coer Properties, as recorded in Reception Number 55588020 of the Summit County Recorder's Office, said rebar being located 42.50 feet left of the existing Norton Road centerline of right of way Station 44+57.72;

Thence S 00° 44' 09" E, 22.50 feet along the existing west line of said Coer Properties, to the point of beginning and **containing 0.115 acres of land**, more or less, of which 0.000 acres of land, more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009974.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on January 29, 2015, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are 5/8" diameter x 30" long with rebar with plastic I.D. Cap stamped "URS CORP."


Dan Stankavich, P.S. 7122



January 29, 2015
Date

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Ver. Date 1/29/2015

PID 93452

**PARCEL 23-WD
SUM-SR 91 AND NORTON ROAD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF HUDSON, SUMMIT COUNTY, OHIO**

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 Hudson, County of Summit, State of Ohio and being part of Original Hudson Township Lot No. 5, this and all further references made to the Summit County Recorder records, being also part of a parcel of land, now or formerly owned by Coer Properties, per Reception Number 55588020, and being more fully described as follows:

Being a parcel of land located on the left side of Norton Road per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number 56155034 of the Summit County Recorder records.

Commencing at point at the intersection of the existing centerline of Norton Road and the easterly line of said lot No. 5, said point being 00.00 feet left of existing State Route 91 (Darrow Road) centerline of right of way Station 1638+92.39; Thence S 89° 18' 36" W, 368.00 feet, along the existing centerline of Norton Road, said point being 00.00 feet left Norton Road centerline of right of way Station 46+17.75 said point also being the TRUE POINT OF BEGINNING for the following parcel herein described;

Thence continuing S 89° 18' 36" W, 160.00 feet, along the Grantor's south line and the existing centerline of Norton Road to a point on the east property line of a parcel now or formerly owned by Coer Properties, as recorded in Reception Number 55964272 of the Summit County Recorder's Office, said point being located 00.00 feet left of the existing Norton Road centerline of right of way Station 44+57.75;

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Thence N 00° 44' 09" W, 40.00 feet, along said Coer Properties to a rebar set, said rebar being located 40.00 feet left of the existing Norton Road centerline of right of way Station 44+57.72;

Thence N 89° 18' 36" E, 160.00 feet, through the Grantor's property and to a point on the west property line of a parcel now or formerly owned by Fifth Third Bank, as recorded in Reception Number 55833487 of the Summit County Recorder's Office to a rebar set, said rebar being located 40.00 feet left of the existing Norton Road centerline of right of way Station 46+17.72;

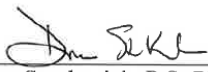
Thence S 00° 44' 09" E, 40.00 feet along the existing west line of said Fifth Third Bank, to the point of beginning and **containing 0.147 acres of land**, more or less, of which 0.073 acres of land, more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 3009886.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on January 15, 2015, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in January of 2014.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are 5/8" diameter x 30" long with rebar with plastic I.D. Cap stamped "URS CORP."


Dan Stankavich, P.S. 7122



January 29, 2015
Date