

RESOLUTION NO. 04-2013

INTRODUCED BY: Mayor Robert Blomquist

**A RESOLUTION GRANTING A PERMANENT ACCESS
EASEMENT TO THE CUYAHOGA COUNTY PUBLIC LIBRARY
UPON AND ACROSS CUYAHOGA COUNTY PERMANENT
PARCEL NO. 281-15-003.**

WHEREAS, The City of Olmsted Falls, Ohio is the owner of real property known as Cuyahoga County Permanent Parcel No. 281-15-003; and

WHEREAS, The Cuyahoga County Public Library is constructing a new public library facility upon property adjacent thereto; and

WHEREAS, The Cuyahoga County Public Library requires a permanent access easement to access the library site; and

WHEREAS, the City's Law Department has reviewed the request, and has determined a permanent access easement setting out the rights, duties and obligations of the parties should be executed. Now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. This Council authorizes the City to grant a permanent access easement to The Cuyahoga County Public Library upon and across Cuyahoga County Permanent Parcel No. 281-15-003, as shown on the legal description attached as Exhibit A.

SECTION 2. This Council hereby directs the Law Director to prepare a permanent access easement which will incorporate sufficient protections for the City.

SECTION 3. This Council hereby authorizes the Mayor to execute the Permanent Access Easement Deed.

SECTION 4. The permanent access easement shall be granted and recorded at no cost to the City.

SECTION 5. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Resolution shall take effect at the earliest time allowed by law.

Garry Thompson, Council President

PASSED: _____

APPROVED: _____
Robert Blomquist, Mayor _____ *Date*

APPROVED AS TO FORM: _____
Paul T. Murphy, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

ADOPTED 02/12/2013

	Yea	Nay
Thompson	_____	_____
Fenderbosch	_____	_____
Donegan	_____	_____
Sculac	_____	_____
Stibich	_____	_____
Garrity	_____	_____
Pulice	_____	_____

THE HENRY G. REITZ ENGINEERING CO.

Civil Engineers and Surveyors

4214 ROCKY RIVER DRIVE

CLEVELAND, OHIO 44135-1948

Donald E. Wolke, P.S., *President*

Stuart W. Saylor, P.E., *Vice Pres.*

James T. Saylor, P.E., P.S., *Vice Pres.*

Linda S. Rerko, *Sec.-Treas.*

Guy D. Cunningham, P.E., *Design Engr.*

(216) 251-3033

FAX: 251-5149

November 24, 1998

Description of 25' Access Easement across the Northerly Portion of Parcel "A"

Situated in the City of Olmsted Falls, County of Cuyahoga and State of Ohio, and known as being part of a 10.3279 Acre Parcel in a Minor Subdivision prepared for the Board of Education of the Olmsted Falls Local School District, of part of Original Olmsted Township Lot No. 1, Tract 2, as shown by the recorded plat in Volume 285 of Maps, Page 97 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a 3/4" iron pin in a monument box on the centerline of Mapleway Drive, 60 feet wide, at its intersection with the centerline of Bagley Road, which point is on the southerly line of said Original Lot 1, Tract 2;

Thence S. 89d 27' 29" W., along the centerline of Bagley Road, a distance of 30.00 feet;

Thence N. 0d 20' 38" W., along the Westerly line of Mapleway Drive, passing through a 5/8" capped (Reitz Eng) iron pin set at 30.00 feet at the intersection of the Northerly line of Bagley Road and the Westerly line of Mapleway Drive, a distance of 229.64 feet to the principal place of beginning;

Thence S. 89d 21' 23" W., a distance of 333.16 feet;

Thence N. 0d 38' 37" W., a distance of 25.00 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence N. 89d 21' 23" E., a distance of 333.30 feet to a 5/8" capped (Reitz Eng) iron pin set on the Westerly line of Mapleway Drive;

Thence S. 0d 20' 38" E., along the Westerly line of Mapleway Drive, a distance of 25.00 feet to the principal place of beginning, according to a survey by The Henry G. Reitz Engineering Company, Donald E. Woike, Registered Surveyor No. 5547, dated Rev. 11/23/98, be the same more or less, but subject to all legal highways and easements of record.

All bearings are to an assumed meridian and used to denote angles only.