

## **ORDINANCE NO. 24-034**

**AN ORDINANCE APPROVING A TEMPORARY EASEMENT GRANTED TO THE CITY BY JEFFREY AND DIANE CORSO FOR THE CLEVELAND ROAD SAFETY IMPROVEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, the City Commission approved and authorized the submission of an application to the Ohio Department of Transportation for financial assistance through the Highway Safety Improvement Program (HSIP) for the Cleveland Road Safety Improvement Project by Resolution No. 013-20R, passed on April 13, 2020, and Resolution No. 001-22R, passed on January 10, 2022; and

**WHEREAS**, the City Commission approved Professional Design Services agreements with Structurepoint, Inc. of Cleveland, Ohio, for the Cleveland Road Safety Improvement Project by Ordinance No. 21-068, passed on May 10, 2021, and by Ordinance No. 22-067, passed on March 28, 2022, which included right-of-way and acquisition for the project; and

**WHEREAS**, Jeffrey and Diane Corso are the owners of property located at 2075 Cleveland Road, Parcel No. 57-01035.000, and has granted the City a temporary easement necessary for the Cleveland Road Safety Improvement Project; and

**WHEREAS**, the cost of the temporary easement is \$300.00 and will initially be paid by the City and then reimbursed by the Ohio Department of Transportation with Highway Safety Improvement Program (HSIP) grant funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the documents to be fully executed and recorded in a timely manner and to proceed with plans for the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission approves a Temporary Easement granted

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to the City by Jeffrey and Diane Corso for the purpose of utilizing for the Cleveland Road Safety Improvement Project (PID 114056), substantially in the same form as attached to this Ordinance, marked Exhibit "1" and is specifically incorporated if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: February 26, 2024

## TEMPORARY EASEMENT

Jeffrey Corso and Diane Corso, Husband and Wife, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Sandusky, Ohio, 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): 96-T

ERI-6-9.07

SEE EXHIBIT A ATTACHED

Erie County Current Tax Parcel No. 57-01035.000

Prior Instrument Reference: Instrument No. 201606377, Erie 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 12 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 the roadway.

IN WITNESS WHEREOF Jeffrey Corso And Diane Corso, Husband and Wife, have hereunto set their hands on the 12 day of June, 2023.

Jeffrey A. Corso  
Jeffrey Corso, Husband

Diane Corso  
Diane Corso, Wife

STATE OF OHIO, COUNTY OF Erle SS:

BE IT REMEMBERED, that on the 12<sup>th</sup> day of June, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Jeffrey Corso And Diane Corso who acknowledged the foregoing instrument to be their voluntary acts and deeds. No oath or affirmation was administered to Jeffrey Corso And Diane Corso 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.

Sharon A. Sberna

NOTARY PUBLIC  
My Commission expires:



SHARON A. SBERNA  
NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES  
8-30-2025

John Orzech, ~~Interim~~ City Manager  
City of Sandusky

\_\_\_\_\_  
Date

Instrument prepared by ORC Associates LLC for the City of Sandusky on a form approved by the Office of the Ohio Attorney General.

**EXHIBIT A**

LPA RX 887 T

Ver. Date 11/21/2022

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PID 114056

**PARCEL 96-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A DRIVEWAY AND COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Lot 2 of John E. Camps' Subdivision of Lot No. 7 West of Railroad and 19 Acres east part of Lot No. 8 of Darling's Survey of Outlots East of Sycamore Line, as recorded in Plat Book 1, Page 16, and being part of that 0.415 acre tract described in a deed to **Jeffrey Corso and Diane Corso**, of record in **Record Number 201606377**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the left side of the centerline of right-of-way for U.S. Route 6 (Cleveland Road, R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at a point on the existing north right-of-way line for U.S. Route 6, being on the north line of that 0.071 acre right-of-way easement described as Parcel 30 in a deed to County of Erie, of record in Deed Book 152, Page 377, being on the east line of said 0.415 acre tract, said point being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 178+79.23;

Thence **North 57 degrees 54 minutes 18 seconds West**, along the existing north right-of-way line for said U.S. Route 6, along the north line of said 0.071 acre right-of-way easement and through said 0.415 acre tract, a distance of **3.15 feet** to the **TRUE POINT OF BEGINNING** for this description, said point being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 178+76.08;

Thence **North 57 degrees 54 minutes 18 seconds West**, continuing along the existing north right-of-way line for said U.S. Route 6, continuing along the north line of said 0.071 acre right-of-way easement and continuing through said 0.415 acre tract, a distance of **16.00 feet** to a point, said point being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 178+60.08;



**EXHIBIT A**

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Thence continuing through said 0.415 along the following three (3) described courses:

1. **North 32 degrees 05 minutes 42 seconds East**, a distance of **7.00 feet** to a point, said point being 47.00 feet left of U.S. Route 6 centerline of right-of-way station 178+60.08;
2. **South 57 degrees 54 minutes 18 seconds East**, a distance of **16.00 feet** to a point, said point being 47.00 feet left of U.S. Route 6 centerline of right-of-way station 178+76.08;
3. **South 32 degrees 05 minutes 42 seconds West**, a distance of **7.00 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0026 acres**, all of which is located within Erie County Auditor's parcel number 57-01035.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.


American Structurepoint, Inc.

  
Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2022  
Date

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

  
Engineer/Surveyor: Erie County Engineer's  
Date: 9-11-2023