

## **ORDINANCE NO. 24-073**

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCELS 51-WD, 51-T & 18-T AND NOW OWNED BY S & S REALTY LTD, FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**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**, in connection with the Project, it is necessary for the City to acquire the property described as Parcels 51-WD and 51-T (Parcel Nos. 57-01378.000, 57-01379.000, 57-01380.000, and 57-01381.000 located at 1935 Cleveland Road) and Parcel 18-T (Parcel No. 57-06003.000 located at 1210 Sycamore Line) and further described on Exhibits "A-1", "A-2" and "A-3, attached hereto (the "Property"); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated July 17, 2023, a copy of which is on file with the Director of Public Works (the "Notice and Offer"), declaring the City's intent to acquire the Property to the owner of such Property (the "Owner"); and

**WHEREAS**, the Notice and Offer satisfies the City's requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City's intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

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**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$151,821.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$144,229.95 (95%) and the City's portion in the amount of \$7,591.05 (5%) will be paid with Major Infrastructure Street 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 to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding 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 finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in

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accordance with the procedures set forth in Chapters 163 and 719 of the Ohio Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of One Hundred Fifty-One Thousand Eight Hundred Twenty-One and 00/100 Dollars (\$151,821.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. 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 6. 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 7. 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: March 25, 2024

LPA RX 851 WD  
*gsc*  
Ver. Date 11/21/2022

**Exhibit "A-1"**

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PID 114056

**PARCEL 51-WD  
ERI-06-09.07**

**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 SANDUSKY, OHIO", ERIE 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).

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**[Surveyor's description of the premises follows]**

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Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **1.95 acre tract** described as Parcel 12 in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771**, 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 (AKA Cleveland Avenue; R/W width varies), being a parcel on the left side of the centerline of right-of-way for Cedar Point Drive, both 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 the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the left, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **02 degrees 59 minutes 24 seconds**, and an arc length of **199.34 feet** to a point, said curve being subtended by a long chord having a bearing of **North 75 degrees 09 minutes 32 seconds West** and a length of **199.32 feet**, said point being at U.S. Route 6 centerline of right-of-way station 153+22.49;

Thence **North 13 degrees 20 minutes 46 seconds West**, a distance of **40.00 feet** to a MAG nail set on the existing north right-of-way line for U.S. Route 6, being on the north line of that 0.028 acre right-of-way easement described as Parcel 19 in a deed to County of Erie, of record in Deed Book 152, Page 368, and being on the south line of said 1.95 acre tract, said MAG nail being 40.00



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feet left of U.S. Route 6 centerline of right-of-way station 153+22.49, and said MAG nail being the **TRUE POINT OF BEGINNING** for this description;

Thence through said 1.95 acre tract along the following eight (8) described courses:

1. **South 80 degrees 06 minutes 18 seconds East**, a distance of **16.44 feet** to a MAG nail set, said MAG nail being 41.02 feet left of U.S. Route 6 centerline of right-of-way station 153+38.72;
2. **South 84 degrees 51 minutes 11 seconds East**, a distance of **22.78 feet** to a MAG nail set, said MAG nail being 44.44 feet left of U.S. Route 6 centerline of right-of-way station 153+61.00;
3. **North 87 degrees 25 minutes 31 seconds East**, a distance of **39.38 feet** to a MAG nail set, said MAG nail being 55.80 feet left of U.S. Route 6 centerline of right-of-way station 153+98.22;
4. **North 82 degrees 22 minutes 22 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 65.28 feet left of U.S. Route 6 centerline of right-of-way station 154+20.99;
5. **North 74 degrees 32 minutes 58 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 77.95 feet left of U.S. Route 6 centerline of right-of-way station 154+42.15 and 81.31 feet left of Cedar Point Drive centerline of right-of-way station 400+77.09;
6. **North 60 degrees 18 minutes 38 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail set being 63.95 feet left of Cedar Point Drive centerline of right-of-way station 400+95.08;
7. **North 51 degrees 06 minutes 36 seconds East**, a distance of **25.00 feet** to an iron pin set, said iron pin being 49.70 feet left of Cedar Point Drive centerline of right-of-way station v401+15.62;
8. **North 35 degrees 07 minutes 00 seconds East**, a distance of **30.13 feet** to an iron pin set on the existing west right-of-way line for Cedar Point Drive, as established by Plat Book 16, Page 25, being on the east line of said 1.95 acre tract, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 401+44.15;

Thence **South 16 degrees 20 minutes 34 seconds West**, along the existing west right-of-way line for said Cedar Point Drive and along the east line of said 1.95 acre tract, a distance of **64.98 feet** to an iron pin set at a point of curvature, being at the northernmost corner of that right-of-way

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.

*Michael T. Farrell*

Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023  
LPA RX 851 WD

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parcel described as Parcel 1 in a deed to City of Sandusky, Ohio, of record in Deed Book 299, Page 523, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 400+79.17;

Thence along the arc of a curve to the right, along the existing west right-of-way line for said Cedar Point Drive, along the northwest line of said City of Sandusky right-of-way parcel and along the southeast line of said 1.95 acre tract, said curve having a radius of **40.00 feet**, a central angle of **88 degrees 49 minutes 06 seconds**, and an arc length of **62.01 feet** to an iron pin set at a point of reverse curvature, said curve being subtended by a long chord having a bearing of **South 60 degrees 45 minutes 07 seconds West** and a length of **55.98 feet**, said iron pin being 79.18 feet left of Cedar Point Drive centerline of right-of-way station 400+39.18 and 40.00 feet left of U.S. Route 6 centerline of right-of-way station 154+43.48;

Thence along the arc of a curve to the left, along the existing north right-of-way line for said U.S. Route 6 and along the south line of said 1.95 acre tract, said curve having a radius of **3,859.77 feet**, a central angle of **01 degree 48 minutes 53 seconds**, and an arc length of **122.25 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **North 75 degrees 44 minutes 47 seconds West** and a length of **122.25 feet**.

The above described right-of-way parcel contains a total area of **0.0893 acres** (0.0167 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-01378.000.

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.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with caps inscribed "ASI PS 8438".

The above described right-of-way parcel 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*

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



8/30/2023  
Date



**Exhibit "A-2"**

LPA RX 887 T

Ver. Date 11/21/2022

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PID 114056

**PARCEL 51-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A SIDEWALK, CONSTRUCT TWO DRIVES,  
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 Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of those tracts of land described as Parcel 10, Parcel 11 and Parcel 12 in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771** (herein collectively referred to as "S & S Realty tract"), 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 (AKA Cleveland Avenue; R/W width varies), being a parcel on the left side of the centerline of right-of-way for Cedar Point Drive, both 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 the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the left, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **02 degrees 59 minutes 24 seconds**, and an arc length of **199.34 feet** to a point, said curve being subtended by a long chord having a bearing of **North 75 degrees 09 minutes 32 seconds West** and a length of **199.32 feet**, said point being at U.S. Route 6 centerline of right-of-way station 153+22.49;

Thence **North 13 degrees 20 minutes 46 seconds West**, a distance of **40.00 feet** to a MAG nail set on the existing north right-of-way line for U.S. Route 6, being on the north line of that 0.028 acre right-of-way easement described as Parcel 19 in a deed to County of Erie, of record in Deed Book 152, Page 368, and being on the south line of said S & S Realty tract, said MAG nail being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 153+22.49, and said MAG nail being the **TRUE POINT OF BEGINNING** for this description;

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Thence along the arc of a non-tangent curve to the left, along the existing north right-of-way line for said U.S. Route 6, along the north line of said Parcel 19 and along the south line of said S & S Realty tract, said curve having a radius of **3,859.77 feet**, a central angle of **01 degree 55 minutes 41 seconds**, and an arc length of **129.88 feet** to a point, said curve being subtended by a long chord having a bearing of **North 77 degrees 37 minutes 04 seconds West** and a length of **129.88 feet**, said point being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 151+93.95;

Thence through said S & S Realty tract along the following ten (10) described courses:

1. **North 11 degrees 47 minutes 46 seconds East**, a distance of **4.99 feet** to a point, said point being 44.99 feet left of U.S. Route 6 centerline of right-of-way station 151+93.99;
2. **South 78 degrees 05 minutes 06 seconds East**, a distance of **136.14 feet** to a point, said point being 46.21 feet left of U.S. Route 6 centerline of right-of-way station 153+28.52;
3. **South 83 degrees 19 minutes 14 seconds East**, a distance of **43.68 feet** to a point, said point being 51.59 feet left of U.S. Route 6 centerline of right-of-way station 153+71.32;
4. **North 87 degrees 41 minutes 48 seconds East**, a distance of **20.44 feet** to a point, said point being 57.41 feet left of U.S. Route 6 centerline of right-of-way station 153+90.65;
5. **North 82 degrees 01 minute 15 seconds East**, a distance of **41.50 feet** to a point, said point being 73.37 feet left of U.S. Route 6 centerline of right-of-way station 154+28.30 and 95.33 feet left of Cedar Point Drive centerline of right-of-way station 400+72.20;
6. **North 66 degrees 26 minutes 45 seconds East**, a distance of **31.20 feet** to a point, said point being 71.39 feet left of Cedar Point Drive centerline of right-of-way station 400+92.21;
7. **North 48 degrees 04 minutes 21 seconds East**, a distance of **44.16 feet** to a point, said point being 48.16 feet left of Cedar Point Drive centerline of right-of-way station 401+29.77;
8. **North 24 degrees 39 minutes 56 seconds East**, a distance of **13.81 feet** to a point, said point being 46.16 feet left of Cedar Point Drive centerline of right-of-way station 401+43.43;



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9. **North 16 degrees 20 minutes 34 seconds East**, a distance of **100.49 feet** to a point, said point being 46.16 feet left of Cedar Point Drive centerline of right-of-way station 402+43.92;
10. **South 73 degrees 39 minutes 26 seconds East**, a distance of **6.16 feet** to a point on the existing west right-of-way line for Cedar Point Drive, as established by Plat Book 16, Page 25, being on the east line of said S & S Realty tract, said point being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 402+43.92;

Thence **South 16 degrees 20 minutes 34 seconds West**, along the existing west right-of-way line for said Cedar Point Drive and along the east line of said S & S Realty tract, a distance of **99.77 feet** to an iron pin set on a proposed right-of-way parcel, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 401+44.15;

Thence through said S & S Realty tract and along said proposed right-of-way parcel along the following eight (8) described courses:

1. **South 35 degrees 07 minutes 00 seconds West**, a distance of **30.13 feet** to an iron pin set, said iron pin being 49.70 feet left of Cedar Point Drive centerline of right-of-way station 401+15.62;
2. **South 51 degrees 06 minutes 36 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 63.95 feet left of Cedar Point Drive centerline of right-of-way station 400+95.08;
3. **South 60 degrees 18 minutes 38 seconds West**, a distance of **25.00 feet** to a Mag nail set, said MAG nail being 81.31 feet left of Cedar Point Drive centerline of right-of-way station 400+77.09 and 77.95 feet left of U.S. Route 6 centerline of right-of-way station 154+42.15;
4. **South 74 degrees 32 minutes 58 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 65.28 feet left of U.S. Route 6 centerline of right-of-way station 154+20.99;
5. **South 82 degrees 22 minutes 22 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 55.80 feet left of U.S. Route 6 centerline of right-of-way station 153+98.22;
6. **South 87 degrees 25 minutes 31 seconds West**, a distance of **39.38 feet** to a MAG nail set, said MAG nail being 44.44 feet left of U.S. Route 6 centerline of right-of-way station 153+61.00;

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7. **North 84 degrees 51 minutes 11 seconds West**, a distance of **22.78 feet** to a MAG nail set, said MAG nail being 41.02 feet left of U.S. Route 6 centerline of right-of-way station 153+38.72;
8. **North 80 degrees 06 minutes 18 seconds West**, a distance of **16.44 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0538 acres**, of which 0.0078 acres is located within Erie County Auditor's parcel number 57-01380.000, 0.0391 acres is located within Erie County Auditor's parcel number 57-01378.000 and 0.0069 acres is located within Erie County Auditor's parcel number 57-01379.000.

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



8/30/2023  
Date



**Exhibit "A-3"**

LPA RX 887 T

*JSA*  
Ver. Date 11/21/2022

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PID 114056

**PARCEL 18-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A SIDEWALK 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 Outlot 19 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **1.1419 acre tract** described in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for Sycamore Line (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 at a point on the existing centerline of right-of-way for said Sycamore Line, said point being the northwest corner of said 1.1419 acre tract, being the southwest corner of that 2.4837 acre tract described in a deed to Stein Hospice Service, of record in Record Number 24273, said point being at Sycamore Line centerline of right-of-way station 382+43.01;

Thence **North 87 degrees 28 minutes 21 seconds East**, along the north line of said 1.1419 acre tract and along the south line of said Stein Hospice Service tract, a distance of **30.00 feet** to a point on the existing east right-of-way line for said Sycamore Line, said point being 30.00 feet right of Sycamore Line centerline of right-of-way station 382+43.01, and said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **North 87 degrees 28 minutes 21 seconds East**, continuing along the north line of said 1.1419 acre tract and continuing along the south line of said Stein Hospice Service tract, a distance of **5.00 feet** to a point, said point being 35.00 feet right of Sycamore Line centerline of right-of-way Station 382+43.01;



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Thence **South 02 degrees 31 minutes 39 seconds East**, through said 1.1419 acre tract, a distance of **154.00 feet** to a point on the south line of said 1.1419 acre tract, being on the north line of that 0.7725 acre tract described in a deed to Lodico Properties, LLC., of record in Record Number 202109286, said point being 35.00 feet right of Sycamore Line centerline of right-of-way station 380+89.01;

Thence **South 87 degrees 28 minutes 21 seconds West**, along the south line of said 1.1419 acre tract and along the north line of said Lodico Properties, LLC. tract, a distance of **5.00 feet** to a point on the existing east right-of-way for said Sycamore Line, said point being 30.00 feet right of Sycamore Line centerline of right-of-way station 380+89.01;

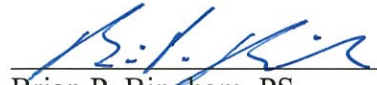
Thence **North 02 degrees 31 minutes 39 seconds West**, along the existing east right-of-way line for said Sycamore Line and through said 1.1419 acre tract, a distance of **154.00 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0177 acres**, all of which is located within Erie County Auditor's parcel number 57-06003.000.

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



8/30/2023  
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