DATE:	November 20, 2023	1 ST READING:	November 20, 2023
INTRODUCED BY:	Mayor Corcoran	2 ND READING:	Dispensed
REFERRED BY:		3 RD READING:	Dispensed
TEMPORARY NO:	T 131-2023	ADOPTED:	November 20, 2023
		EMERGENCY:	November 20, 2023
		EFFECTIVE:	November 20, 2023

RESOLUTION NO. 1622-2023

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF NORTH RIDGEVILLE FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF THE CM TANK BLOWER UPGRADE PROJECT AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT FACILITY IN THE AMOUNT OF \$8,284,679.00; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, Ohio, seeks to upgrade its CM Tank Blower at the French Creek Wastewater Treatment Plant facility; and

WHEREAS, the City of North Ridgeville intends to apply for a Water Pollution Control Loan Fund (WPCLF) for the planning, design and/or construction of the CM Tank Blower Upgrade Project at the French Creek Wastewater Treatment Plant in the amount of \$8,284,679.00; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the City of North Ridgeville to pass legislation for application of a loan and the execution of an agreement, as well as designating a dedicated repayment source.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of the CM Tank Blower Upgrade Project at the French Creek Wastewater Treatment Plant in the amount of \$8,284,679.00 on behalf of the City of North Ridgeville, Ohio.

SECTION 2. The dedicated source of repayment will be charges for services.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution is hereby declared to be an emergency measure, the emergency being in order to purchase the necessary machinery for the French Creek Wastewater Treatment Plant and to provide the health, safety, and welfare of the Citizens of the City of North Ridgeville. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 20, 2023

Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST:

Nicholas Ciofani

CLERK OF COUNCIL

APPROVED: Nov 22, 2023

Kevin Corcoran MAYOR

DATE:	November 20, 2023	1 ST READING:	November 20, 2023
INTRODUCED BY:	Mayor Corcoran	2 ND READING:	Dispensed
REFERRED BY:		3 RD READING:	Dispensed
TEMPORARY NO:	T 127-2023	ADOPTED:	November 20, 2023
		EMERGENCY:	November 20, 2023
		EFFECTIVE:	November 20, 2023

ORDINANCE NO. 6114-2023

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE 2023 HYDRANT REPLACEMENTS AND OTHER APPURTENANCES, NOT TO EXCEED \$420,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, the City's aging water system is in need of repairs. There are 36 fire hydrants and associated valves throughout the City in need of replacement; and

WHEREAS, the replacements are necessary to create a reliable system of fire hydrants for the City's fire protection system; and

WHEREAS, the City of North Ridgeville has appropriated the necessary funds to perform this work; and

WHEREAS, the Engineering Department will review the list of hydrants from the Service Department and create the detailed exhibits for the bidding documents; and

WHEREAS, the bidding documents and specifications will be available through the Engineering Department for this project.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to advertise for bids and enter into a contract according to law and in a manner prescribed by law with the lowest and best bidder for the 2023 Hydrant Replacements and other appurtenances in an amount not to exceed \$420,000.00.

SECTION 2. The cost for said project shall be paid from the appropriate fund.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal

action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the health, safety, and welfare of the Citizens of the City of North Ridgeville. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 20, 2023

Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST:

M. 55

Nicholas Ciofani

CLERK OF COUNCIL

APPROVED: Nov 22, 2023

Kevin Corcoran MAYOR

DATE:	November 20, 2023	1 ST READING:	November 20, 2023
INTRODUCED BY:	Mayor Corcoran	2 ND READING:	Dispensed
REFERRED BY:		3 RD READING:	Dispensed
TEMPORARY NO:	T 128-2023	ADOPTED:	November 20, 2023
		EMERGENCY:	November 20, 2023
		EFFECTIVE:	November 20, 2023

ORDINANCE NO. 6115-2023

AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF CREATING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD OVER/ACROSS REAL PROPERTY (PARCEL 14A-WD) HAVING NO COUNTY AUDITOR PARCEL NUMBER, AND DECLARING AN EMERGENCY.

WHEREAS, on October 16, 2023, the North Ridgeville City Council adopted Resolution No.1612-2023, declaring the necessity and intent to appropriate a fee simple interest in the hereinafter described real estate; and

WHEREAS, as the last recorded owners of said property, Edward and Gertrude Karres, are deceased and no owner, person in possession of, or agent can be found, the notice of the passage of the Resolution was properly via publication in accordance with the rules set forth in O.R.C. Sections 719.05 and 7.16; and

WHEREAS, City Council, pursuant to O.R.C. Section 719.05, now deems it necessary to appropriate and take immediate possession of the interest for the purposes as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. A fee simple interest (as described in Exhibit A) in real estate whose owner and/or agent is unknown (acquisition sketch of total parcel is attached as Exhibit B), the same being part of the real estate designated as Parcel 14A-WD is hereby appropriated for the public purpose of creating a roundabout at the intersection of State Route 83 and Chestnut Ridge Road, which shall be opened to the public without charge.

SECTION 2. This appropriation is made in accordance with Resolution No. 1612-2023, adopted by the North Ridgeville City Council on October 16, 2023. The same Resolution was served in a manner prescribed by law upon the record owner of the real property as notice of intent to acquire the necessary property interest via publication in accordance with O.R.C. 719.05 and 7.16.

Ordinance No. 6115-2023 Page 2.

SECTION 3. City Council hereby fixes the value of the property interest, being an interest in fee simple, as well as any damages to the residue at \$300.00, which sum shall be deposited pursuant to Ohio Revised Code Section 163.06 with the Clerk of the Lorain County Probate Court, upon filing of a Petition for Appropriation for the use and benefit of the owner(s) of the real estate being appropriated.

SECTION 4. Upon the deposit of the aforementioned \$300.00, the City of North Ridgeville shall take immediate possession of and enter upon the real estate pursuant to law, in accordance with the terms of the Warranty Deed described in Exhibit A. An acquisition sketch of the total parcel is attached as Exhibit B.

SECTION 5. City Council finds that the appropriation is necessary for the stated public purpose; that the City of North Ridgeville has been unable to find the owner(s), agents or trustees as to the purchase of said real estate interests; and that immediate possession of the real estate to be appropriated is necessary for the purpose of making or repairing a road which shall be open to the public without charge.

SECTION 6. The City Law Director is directed to file a Petition for Appropriation in the Lorain County Court of Common Pleas, Probate Division, in order to immediately gain title to the necessary property interest, and to have a jury empaneled to assess the compensation to be paid for the interest acquired.

SECTION 7. \$300.00, or so much thereof as may be needed, shall be appropriated from the appropriate fund.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to file a petition for the appropriation in the Lorain County Court of Common Pleas to stay on track with the Ohio Department of Transportation's Schedule. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 20, 2023

Jason R. Jacobs

PRESIDENT OF COUNCIL

Ordinance No. 6115-2023 Page 3.

ATTEST:

Nicholas Ciofani

CLERK OF COUNCIL

APPROVED: Nov 22, 2023

Kevin Corcoran

MAYOR

Ordinance No. 6115-2023 Page 4.

EXHIBIT A

LPA RX 851 WD Rev. 06 09

Ver. Date 06 28 2022 PID 1 14797

PARCEL 14A-WD

LOR-83-11.19

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 NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN 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 State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that original 1.092 acre tract of land described in a deed to **Edward Joseph Karres and Gertrude H. Karres**, of record in Deed Volume 506, Page 553, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the right side of the existing centerline of right-of-way for State Route 83 and the left of said of the existing centerline of right-of-way for Chestnut Ridge Road, as delineated on the centerline plat for LOR83-1 1.19, of record in Plat Book Page said parcel being further bounded and described as follows:

BEGINNING at a 3/4" iron pin with an aluminum cap found in a monument box at the intersection of the existing centerline of right-of-way for State Route 83 and the existing centerline of right-of-way for Chestnut Ridge Road, said iron pin being the southwest corner of said original 1.092 acre tract, being a southeast corner of that 2.67 acre tract described in a deed to Mark Standen and Matthew Standen, of record in Instrument Number 2006-0142731, being the northwest corner of that 0.713 acre tract of land described in a deed to 83 & Chestnut Pub Eatery LLC, of record in Instrument Number 2019-0713018, and said iron pin being on Chestnut Ridge Road existing centerline of right-of-way station 319+02.27;

Ordinance No. 6115-2023 Page 5.

Thence North 00 degrees 06 minutes 16 seconds East, along the existing centerline of right-of-way for State Route 83, along the west line of said original 1.092 acre tract, along the east line of said 2.67 acre tract and along the east line of Home Crest Park, as recorded in Plat Book Volume 12, Page 6, a distance of 295.66 feet to a MAG nail set at the northwest comer of said original 1.092 acre tract, being the southwest corner of that 5.7621 acre tract of land described in a deed to The Northridge Christian Life Church, of record in Official Record Volume 1095, Page 451, said MAG nail set being on State Route 83 existing centerline of right-of-way station 34+69.66;

Thence **North 47 degrees 54 minutes 13 seconds East**, along the north line of said original 1.092 acre tract and along the south line of said 5.7621 acre tract, a distance of **40.50** feet to an iron pin set on the existing east right-of-way line for State Route 83, being at the northwest comer of that 1.00 acre tract of land described in a deed to Snappy Gas Mart Inc., of record in Instrument Number 2020-0786669, said iron pin set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 34+96.87;

Thence **South 00 degrees 06 minutes 16 seconds West**, along the existing east right-of-way line for State Route 83, along the west line of said 1.00 acre tract, along the west line of that 0.094 acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840 and through said original 1.092 acre tract, (passing a 3/4" iron pipe found at a distance of 141.32 feet, offline 0.36 feet east), a total distance of **252.77 feet** to a MAG nail set at the intersection of the existing east right-of-way line for State Route 83 and the existing north right-of-way line for Chestnut Ridge Road, being the southernmost corner of said 0.094 acre tract, said MAG nail set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 32+44.09;

Thence **North 42 degrees 25 minutes 01 seconds East**, along the existing north right-of-way line for Chestnut Ridge Road, along the south line of said 0.094 acre tract, along the south line of said 1.00 acre tract and through said original 1.092 acre tract, (passing a 3/4" iron pipe found at a distance of 111.80 feet, offline 0.16 feet northwest), a total distance of **288.26 feet** to a 1" iron pipe found at the easternmost corner of said 1.00 acre tract, being on the west line of that 0.531 acre tract of land described in a deed to Dennis L. Kranes and Cynthia L. Kranes, of record in Official Record Volume 1375, Page 898, being on the east line of said original 1.092 acre tract, said iron pipe found being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.56;

Thence **South 51 degrees 33 minutes 12 seconds East,** along the east line of said original 1.092 acre tract and along the west line of said 0.531 acre tract, a distance of **25.06 feet** to a MAG nail set at the easternmost corner of said original 1.092 acre tract, being the southwest corner of said 0.531 acre tract, being on the northwest line of that 1.9188 acre tract of land described in a deed to Brian W. Nowlin, of record in Instrument Number 2009-0301395, said MAG nail set being on Chestnut Ridge existing centerline of right-of-way station 322+64.29;

Thence South 42 degrees 25 minutes 01 seconds West, along the existing centerline of right-of-way for Chestnut Ridge Road, along the southeast line of said original 1.092 acre tract, along the northwest line of said 1.9188 acre tract, along the northwest line of that 1.282 acre tract of land described in a deed to Richard Westover and Laura Westover, of record in Official

Ordinance No. 6115-2023 Page 6.

Record Volume 220, Page 746, and along the northwest line of said 0.713 acre tract, a distance of **362.03 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.375 acres** (all of which is located within the present road occupied, P.R.O.).

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from 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 tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

PROFIL

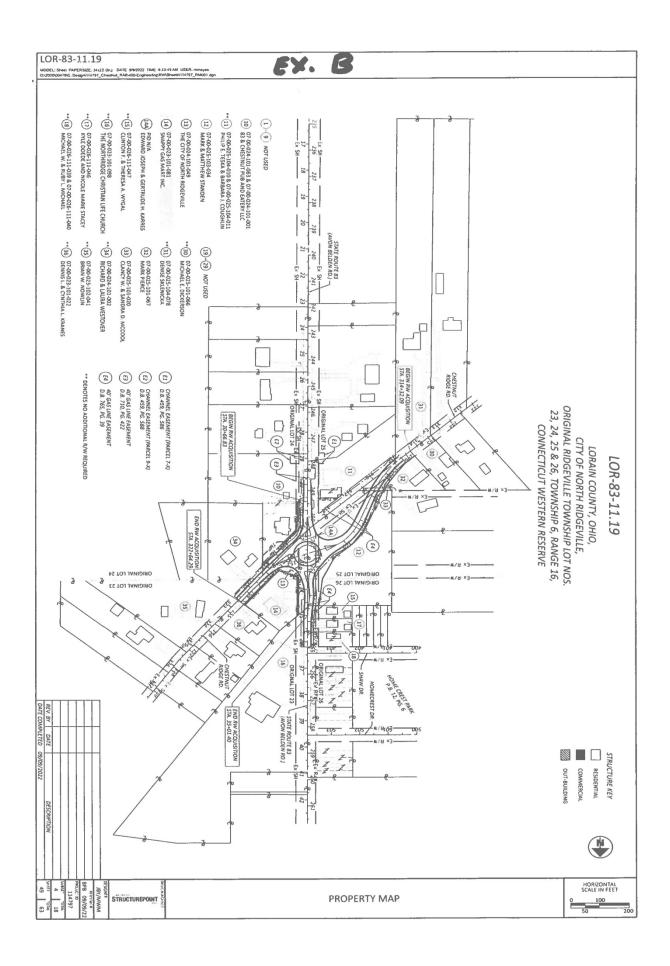
American Structurepoint, Inc.

Michael J. Ward, PS

Registered Professional Surveyor No.

8808

MICHAEL J 09/08/22 WARD



DATE:	November 20, 2023	1 ST READING:	November 20, 2023
INTRODUCED BY:	Mayor Corcoran	2 ND READING:	Dispensed
REFERRED BY:		3 RD READING:	Dispensed
TEMPORARY NO:	T 129-2023	ADOPTED:	November 20, 2023
		EMERGENCY:	November 20, 2023
		EFFECTIVE:	November 20, 2023

ORDINANCE NO. 6116-2023

AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF CREATING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD OVER/ACROSS REAL PROPERTY (PARCEL 12-WD) HAVING PERMANENT PARCEL NO. 07-00-025-103-034, AND DECLARING AN EMERGENCY.

WHEREAS, on October 16, 2023, the North Ridgeville City Council adopted Resolution No. 1611-2023, declaring the necessity and intent to appropriate a fee simple interest in the hereinafter described real estate; and

WHEREAS, notice of the passage of the Resolution was properly served upon the property owners via certified U.S. Mail, return receipt requested; and

WHEREAS, City Council, pursuant to O.R.C. Section 719.05, now deems it necessary to appropriate and take immediate possession of the interest for the purposes as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. A fee simple interest (as described in Exhibit A) in real estate owned by Matthew and Mark Standen (acquisition sketch of total parcel is attached as Exhibit B), the same being part of the real estate known as Lorain County Permanent Parcel No. 07-00-025-103-034 and designated as Parcel 12-WD, is hereby appropriated for the public purpose of creating a roundabout at the intersection of State Route 83 and Chestnut Ridge Road, which shall be opened to the public without charge.

SECTION 2. This appropriation is made in accordance with Resolution No. 1611-2023 adopted by the North Ridgeville City Council on October 16, 2023. The same Resolution was served in a manner prescribed by law upon the record owner of the real property as notice of intent to acquire the necessary property interest via certified U.S. Mail.

SECTION 3. City Council hereby fixes the value of the property interest, being an interest in fee simple, as well as any damages to the residue at \$236,400.00, which sum shall be deposited

Ordinance No. 6116-2023 Page 2.

pursuant to Ohio Revised Code Section 163.06 with the Clerk of the Lorain County Probate Court, upon filing of a Petition for Appropriation for the use and benefit of the owner(s) of the real estate being appropriated.

SECTION 4. Upon the deposit of the aforementioned \$236,400.00, the City of North Ridgeville shall take immediate possession of and enter upon the real estate pursuant to law, in accordance with the terms of the Warranty Deed described in Exhibit A. An acquisition sketch of the total parcel is attached as Exhibit B.

SECTION 5. City Council finds that the appropriation is necessary for the stated public purpose; that the City of North Ridgeville has been unable to agree with the owner(s) as to the purchase of said real estate interests; and that immediate possession of the real estate to be appropriated is necessary for the purpose of making or repairing a road which shall be open to the public without charge.

SECTION 6. The City Law Director is directed to file a Petition for Appropriation in the Lorain County Court of Common Pleas, Probate Division, in order to immediately gain title to the necessary property interest, and to have a jury empaneled to assess the compensation to be paid for the interest acquired.

SECTION 7. \$236,400.00, or so much thereof as may be needed, shall be appropriated from the appropriate fund.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to file a petition for the appropriation in the Lorain County Court of Common Pleas to stay on track with the Ohio Department of Transportation's Schedule. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 20, 2023

Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST:

Nicholas Ciofani CLERK OF COUNCIL Ordinance No. 6116-2023 Page 3.

APPROVED: Nov 22, 2023

Kevin Corcoran MAYOR Ordinance No. 6116-2023 Page 4.

EXHIBIT A

LPA RX 851 WD Rev. 06 09

Ver. Date 06/28 2022 PID 1 14797

PARCEL 12-WD LOR-83-11.19

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 NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN 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 des	scription of the	premises follows	s]	

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 25 and .26, Township 6, Range 16, Connecticut Western Reserve, being a part of that 2.67-acre tract of land described in a deed to **Mark Standen and Matthew Standen**, of record in Instrument Number 2006-142731, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the left side of the existing centerline of right-of-way for State Route 83 and Chestnut Ridge Road, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book ______, Page ______, said parcel being further bounded and described as follows:

BEGINNING at a 3/4" iron pin with an aluminum cap found in a monument box at the intersection of the existing centerline of right-of-way for State Route 83 and the existing centerline of right-of-way for Chestnut Ridge Road, said iron pin being a southeast corner of said 2.67 acre tract, being the northeast corner of that 0.327 acre tract of land described in a deed to Philip E. Teska and Barbara J. Coughlin, of record in Instrument Number 2000-0719587, being the southwest corner of that original 1.092 acre tract of land described in a deed to Edward Joseph Karres and Gertrude H. Karres, of record in Deed Volume 506, Page 553, and said iron pin being on Chestnut Ridge Road existing centerline of right-of-way station 319+02.27;

Thence South 50 degrees 20 minutes 32 seconds West, along the existing centerline of right-of-way for Chestnut Ridge Road, along the southeast line of said 2.67 acre tract and along the northwest line of said 0.327 acre tract, a distance of 234.82 feet to a MAG nail set at a

Ordinance No. 6116-2023 Page 5.

southeast corner of said 2.67 acre tract, being the westernmost comer of said 0.327 acre tract, and being the northeast corner of that 0.028 acre tract of land described in a deed to Clancy W. McCool and Sandra D. McCool, of record in Instrument Number 2021-0828644, said MAG nail set being on Chestnut Ridge Road existing centerline of right-of-way station 316+67.45;

Thence North 89 degrees 59 minutes 44 seconds West, along the south line of said 2.67-acre tract and along the north line of said 0.028-acre tract, (passing a 3/4" iron pipe found at a distance of 48.21 feet, offline 0.94 feet north), a total distance of 88.71 feet to an iron pin set, said iron pin set being 56.62 feet left of Chestnut Ridge Road existing centerline of right-of-way station 315+99.16;

Thence through said 2.67-acre tract along the following six (6) described courses:

- 1. Along the arc of a non-tangent curve to the left, said curve having a radius of **370.00 feet**, a central angle of **04 degrees 50 minutes 53 seconds**, and an arc length of **31.31 feet** to an iron pin set at a point of tangency, said curve being subtended by a long chord having a bearing **of North 26 degrees 03 minutes 09 seconds East** and a length of **31.30 feet**, said iron pin set being 69.49 feet left of Chestnut Ridge Road existing centerline of right-of-way station 316+27.69;
- 2. **North 23 degrees 37 minutes 43 seconds East,** a distance of **108.90 feet** to an iron pin set at a point of curvature, said iron pin set being 118.45 feet left of Chestnut Ridge Road existing centerline of right-of-way station 317+24.97;
- 3. Along the arc of a curve to the right, said curve having a radius of **230.00 feet**, a central angle of **28 degrees 47 minutes 37 seconds**, and an arc length of **115.59 feet** to an iron pin set at a point of tangency, said curve being subtended by a long chord having a bearing of **North 38 degrees 01 minute 31 seconds East** and a length of **114.37 feet**, said iron pin set being 142.84 feet left of Chestnut Ridge Road existing centerline of right-of-way station 318+36.71;
- 4. **North 52 degrees 25 minutes 20 seconds East,** a distance of **58.68 feet** to an iron pin set, said iron pin set being 95.32 feet left of State Route 83 existing centerline of right-of-way station 32+77.74;
- 5. North 27 degrees 03 minutes 24 seconds East, a distance of 92.23 feet to an iron pin set on the north line of said Original Lot 25, being on the south line of said Original Lot 26, said iron pin set being 53.52 feet left of State Route 83 existing centerline of right-of-way station 33+59.95;
- 6. North 06 degrees 48 minutes 58 seconds East, a distance of 103.11 feet to an iron pin set on the north line of said 2.67 acre tract, being on the south line of Home Crest Park, as record in Plat Book Volume 12, Page 6, and being on the south line of Sublot 245 of said Home Crest Park, said Sublot 245 being described in a deed to Clinton F. Wygal and Theresa A. Wygal, of record in Official Record Volume 577, Page 225, said iron pin set being 41.47 feet left of State Route 83 existing centerline of right-of-way station 34+62.35;

Ordinance No. 6116-2023 Page 6.

Thence **South 89 degrees 59 minutes 44 seconds East**, along the north line of said 2.67 acre tract, along the south line of said Sublot 245 and along the south line of said Home Crest Park, (passing a 1/2" iron pin found at a distance of 11.17 feet, offline 0.10 feet south), a total distance of **41.47 feet** to a MAG nail set on the existing centerline of right-of-way for State Route 83, being on the east line of said 2.67 acre tract, and being on the west line of said original 1.092 acre tract, said MAG nail set being on State Route 83 existing centerline of right-of-way station 34+62.43;

Thence South 00 degrees 06 minutes 16 seconds West, along the existing centerline of right-of-way for State Route 83, along the east line of said 2.67-acre tract and along the west line of said original 1.092 acre tract, a distance of 288.43 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of **1.122 acres** (0.334 acres located within the present road occupied, P.R.O.), all of which is located within Lorain County Auditor's parcel number 07-00-025-103-034.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from 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 tied to the ODOT VRS Network.

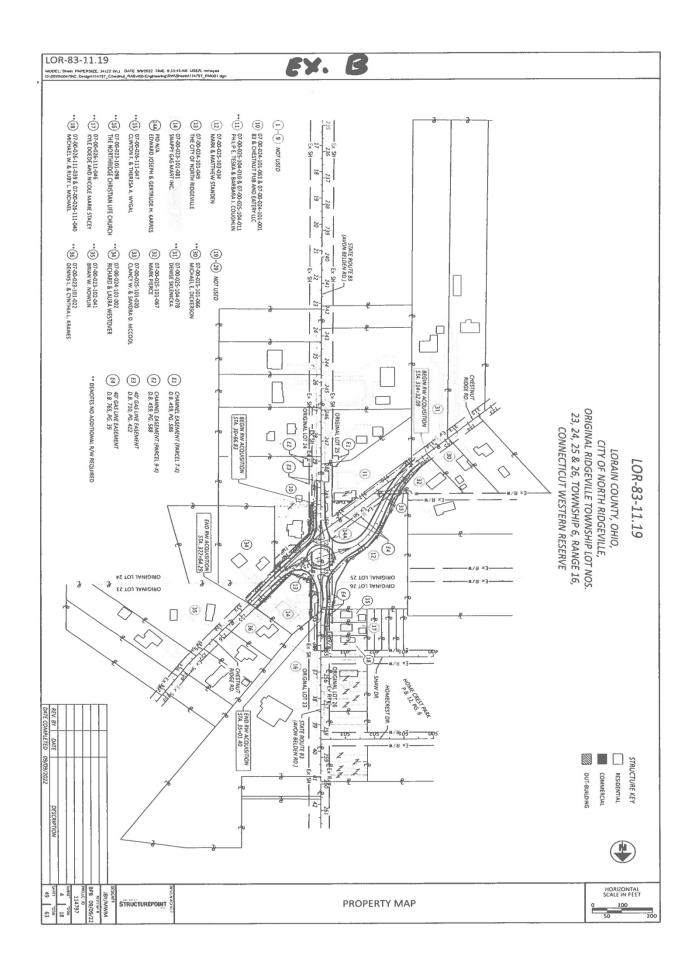
This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

MICHAEL J WARD S-8808

American Structurepoint, Inc.

Michael J/ Ward, PS

Registered Professional Surveyor No. 8808



DATE:	November 20, 2023	1 ST READING:	November 20, 2023
INTRODUCED BY:	Mayor Corcoran	2 ND READING:	Dispensed
REFERRED BY:		3 RD READING:	Dispensed
TEMPORARY NO:	T 130-2023	ADOPTED:	November 20, 2023
		EMERGENCY:	November 20, 2023
		EFFECTIVE:	November 20, 2023

ORDINANCE NO. 6117-2023

AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF CREATING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD OVER/ACROSS REAL PROPERTY (PARCEL 14-T1, T2) HAVING PERMANENT PARCEL NUMBER 07-00-023-101-081, AND DECLARING AN EMERGENCY.

WHEREAS, on October 16, 2023, the North Ridgeville City Council adopted Resolution No. 1613-2023, declaring the necessity and intent to appropriate a temporary construction easement in the hereinafter described real estate; and

WHEREAS, notice of the passage of the Resolution was properly served upon the property owners via certified U.S. Mail, return receipt requested; and

WHEREAS, City Council, pursuant to O.R.C. Section 719.05, now deems it necessary to appropriate and take immediate possession of the interest for the purposes as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. A temporary construction easement (as described in Exhibit A) in real estate owned by Snappy Gas Mart, Inc. (agent Zayed Y. Zayed) (acquisition sketch of total parcel is attached as Exhibit B), the same being part of the real estate known as Lorain County Permanent Parcel No. 07-00-023-101-081 and designated as Parcel 14-T1, T2, is hereby appropriated for the public purpose of creating a roundabout at the intersection of State Route 83 and Chestnut Ridge Road, which shall be opened to the public without charge.

- **SECTION 2.** This appropriation is made in accordance with Resolution No. 1613-2023 adopted by the North Ridgeville City Council on October 16, 2023. The same Resolution was served in a manner prescribed by law upon the record owner of the real property as notice of intent to acquire the necessary property interest via certified U.S. Mail.
- **SECTION 3.** City Council hereby fixes the value of the property interest, being a temporary construction easement, as well as any damages to the residue at \$1,480.00, which sum

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shall be deposited pursuant to Ohio Revised Code Section 163.06 with the Clerk of the Lorain County Probate Court, upon filing of a Petition for Appropriation for the use and benefit of the owner(s) of the real estate being appropriated.

SECTION 4. Upon the deposit of the aforementioned \$1,480.00, the City of North Ridgeville shall take immediate possession of and enter upon the real estate pursuant to law, in accordance with the terms of the Warranty Deed described in Exhibits A. An acquisition sketch of the total parcel is attached as Exhibit B.

SECTION 5. City Council finds that the appropriation is necessary for the stated public purpose; that the City of North Ridgeville has been unable to agree with the owner(s) as to the purchase of said real estate interests; and that immediate possession of the real estate to be appropriated is necessary for the purpose of making or repairing a road which shall be open to the public without charge.

SECTION 6. The City Law Director is directed to file a Petition for Appropriation in the Lorain County Court of Common Pleas, Probate Division, in order to immediately gain title to the necessary property interest, and to have a jury empaneled to assess the compensation to be paid for the interest acquired.

SECTION 7. \$1,480.00, or so much thereof as may be needed, shall be appropriated from the appropriate fund.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to file a petition for the appropriation in the Lorain County Court of Common Pleas to stay on track with the Ohio Department of Transportation's Schedule. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 20, 2023

Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST:

Nicholas Ciofani CLERK OF COUNCIL Ordinance No. 6117-2023 Page 3.

APPROVED: Nov 22, 2023

Kevin Corcoran MAYOR Ordinance No. 6117-2023 Page 4.

EXHIBIT A

LPA RX 887 T Rev. 07/09 Ver. Date 06/28/2022 PID 114797

PARCEL 14-TI LOR-83-11.19 TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PERFORM GRADING AND CONSTRUCT 2 DRIVES FOR 12 MONTHS FROM DATE OF ENTRY BY THE "CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN COUNTY, OHIO

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Surveyor's descr	intion of the	nremises follows]	7
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Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that 1.00 acre tract of land described in a deed to **Snappy Gas Mart Inc.**, of record in Instrument Number 2020-0786669, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the right side of the existing centerline of right-of-way for State Route 83, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book ______, Page ______, said parcel being further bounded and described as follows:

BEGINNING at a point on the existing east right-of-way line for State Route 83, being the southwest corner of said 1.00 acre tract, being the northwest corner of that 0.094 acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840, (reference a 3/4" iron pipe found bearing South 54 degrees 27 minutes 01 second East at a distance of 0.45 feet), said point being 30.00 feet right of State Route 83 existing centerline of right-of-way station 33+55.80;

Thence North 00 degrees 06 minutes 16 seconds East, along the existing east right-of-way line for State Route 83 and along the west line of said 1.00 acre tract, a distance of 141.06 feet to an iron pin set on the north line of said 1.00 acre tract, being on the south line of that 5.7621 acre tract of land described in a deed to The Northridge Christian Life Church, of record in Official Record Volume 1095, Page 451, said iron pin set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 34+96.87;

Thence North 47 degrees 54 minutes 13 seconds East, along the north line of said 1.00 acre tract and along the south line of said 5.7621 acre tract, a distance of 6.75 feet to a point, said point being 35.00 feet right of State Route 83 existing centerline of right-of-way station 35+01.40;

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Thence **South 00 degrees 06 minutes 16 seconds West,** through said 1.00 acre tract, a distance of **147.52 feet** to a point on a south line of said 1.00 acre tract, being on the north line of said 0.094 acre tract, said point being 35.00 feet right of State Route 83 existing centerline of right-of-way station 33+53.88;

Thence North 68 degrees 50 minutes 27 seconds West, along a south line of said 1.00 acre tract and along the north line of said 0.094 acre tract, a distance of 5.36 feet to the POINT OF BEGINNING for this description.

The above description contains a total area of **0.017 acres** (0.000 acres located within the present road occupied, P.R.O.), all of which is located within Lorain County Auditor's parcel number 07-00-023-101-081.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from 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 tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by Arnerican Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Michael J Ward, PS

Registered Professional Surveyor No. 8808

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Ver. Date 06/28/2022 PID 1 14797

PARCEL 14-T2 LOR-83-11.19

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PERFORM GRADING AND CONSTRUCT A DRIVE FOR 12 MONTHS FROM DATE OF ENTRY BY THE "CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN COUNTY, OHIO

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(Surveyor's description of the premises follows]	7

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that 1.00 acre tract of land described in a deed to **Snappy Gas Mart Inc.**, of record in Instrument Number 2020-0786669, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the left side of the existing centerline of right-of-way for Chestnut Ridge Road, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book _____, Page _____, said parcel being further bounded and described as follows:

BEGINNING at a point on the existing north right-of-way line for Chestnut Ridge Road, being the southernmost corner of said 1.00 acre tract, being the easternmost corner of that 0.094 acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840, (reference a 3/4" iron pipe found bearing North 68 degrees 50 minutes 27 seconds West at a distance of 0.17 feet), said point being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 320+86.16;

Thence North 68 degrees 50 minutes 27 seconds West, along a south line of said 1.00 acre tract and along the north line of said 0.094 acre tract, a distance of 5.37 feet to a point, said point being 30.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 320+84.21;

Thence North 42 degrees 25 minutes 01 second East, through said 1.00 acre tract, a distance of 178.00 feet to a point on the northeast line of said 1.00 acre tract, being the southwest line of that 0.531 acre tract of land described in a deed to Dennis L Kranes and Cynthia L. Kranes, of record in Official Record Volume 1375, Page 898, said point being 30.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.21;

Thence **South 51 degrees 33 minutes 12 seconds East,** along the northeast line of said 1.00 acre tract and along the southwest line of said 0.531 acre tract, a distance of **5.01 feet** to a l" iron pin found at the easternmost corner of said 1.00 acre tract, being on the existing north right-of-way line for Chestnut Ridge Road, said iron pin being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.56;

Thence **South 42 degrees 25 minutes 01 second West,** along the existing north right-of-way line for Chestnut Ridge Road and along the south line of said 1.00 acre tract, a distance or 176.40 feet to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.020 acres** (0.000 acres located within the present road occupied, P.R.O.), all of which is located within Lorain County Auditor's parcel number 07-00-023-101-081.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from 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 tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Michael J. Ward, PS

Registered Professional Surveyor No. 8808

