

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ACCEPT A TEMPORARY
EASEMENT FROM MARK K. REMLEY, AND DECLARING
AN EMERGENCY.**

WHEREAS, Mr. Mark K. Remley owns certain real property known in Cuyahoga County records as Permanent Parcel Number 932-10-001; and

WHEREAS, in order to construct the Cleveland Street Sidewalk Project, it is necessary for the Village to obtain a temporary easement for a portion of such property; and

WHEREAS, Mr. Remley has agreed to grant the Village a temporary construction easement in exchange for Three Hundred Dollars (\$300.00); and

WHEREAS, this Council desires to authorize the Mayor to accept such temporary construction easement.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That the Mayor be and is hereby authorized to accept a temporary construction easement from Mr. Mark K. Remley. A copy of the temporary easement is appended hereto and incorporated herein by reference. The Mayor may execute documentation and perform such additional actions as may be necessary to carry out the purpose of the temporary easement.

SECTION 2. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the Village may provide for the immediate acceptance of the temporary easement necessary to proceed forward with construction plans; provided that this Ordinance receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor, otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: September 10, 2012



Council President

ORDINANCE NO.: 2012- 39
INTRODUCED BY: MRS. EVANS

2


Submitted to the Mayor for
his approval on this
11 day of September, 2012

Approved by the Mayor
September 11, 2012



Mayor

I hereby certify that Ordinance No. 2012-39 was duly enacted on the 10 day of
September, 2012, by the Council of the Village of Chagrin Falls and posted in accordance
with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Mark K. Remley, the Grantor(s) herein, in consideration of the sum of \$300.00, to be paid by the Village of Chagrin Falls, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1T
PID 88290

SEE EXHIBIT A & B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Prior Instrument Reference: Volume 97-04621, Page 60 , Cuyahoga County Recorder's Office.

To have and to hold said temporary easement, 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 herein 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 interest granted herein is being acquired by Grantee for the purpose, namely the construction of the Cleveland Street Sidewalk Project. The Grantors property will be fully restored prior to acceptance of the project by the Village of Chagrin Falls.

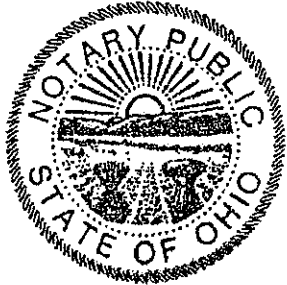
IN WITNESS WHEREOF Mark K. Remley have hereunto set his hand on the 19th day
of July, 2012.

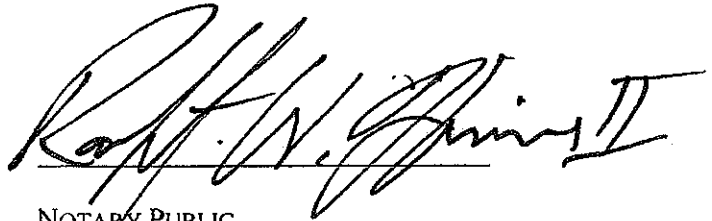

MARK K. REMLEY

STATE OF OHIO, COUNTY OF CUYAHOGA ss:

BE IT REMEMBERED that on the 19th day of July, 2012,
before me the subscriber, a Notary Public in and for said state and county, personally came the
above named Mark K. Remley, who acknowledged the foregoing instrument to be his voluntary
act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.





NOTARY PUBLIC
My Commission expires:

ROBERT W. HIMES II
Notary Public, State of Ohio
My Commission Expires 12/25/12
(Recorded in Lake County)

This document was prepared by: CT Consultants for The Village of Chagrin Falls



CT Consultants
engineers | architects | planners
Since 1972

Exhibit "A"

**DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT
FOR
MARK K. REMLEY**

Situated in the Village of Chagrin Falls, County of Cuyahoga, State of Ohio, and known as being a temporary construction easement over and through a part of Original Lots Nos. 17 and 18, Champion Tract No. 3 and is bounded and described as follows.

Beginning in the easterly line of Cleveland Street, 60 feet in width, at its intersection with the southerly line of Bell Street, 60 feet in width;

COURSE I Thence South $70^{\circ}10'31''$ East along said southerly line of Bell Street a distance of 8.00 feet to a point;

COURSE II Thence South $41^{\circ}10'22''$ West a distance of 5.82 feet to a point in said easterly line of Cleveland Street;

COURSE III Thence North $27^{\circ}28'45''$ West along said easterly line of Cleveland Street a distance of 8.00 feet to the point of beginning and containing 0.0005 acres (22 square feet) of land as calculated and described in November, 2011 by CT Consultants, Inc;

MARK K. REMLEY, grantor(s) herein, claim(s) title by or through instrument dated May 20, 1997 and recorded in volume 4621, page 60 of the Cuyahoga County Records;

Bearings contained herein are based upon the North American Datum of 1983 (NAD83(CORS)).

The above described easement burdens a portion of property designated as Cuyahoga County Auditor's Permanent Parcel No. 932-10-001.

EXHIBIT "B"
EASEMENT FROM MARK K. REMLEY
(PPN: 932-10-001)

NORTH

BELL STREET (60')

CLEVELAND STREET (60')

22 sq.ft.
0.0005 acres

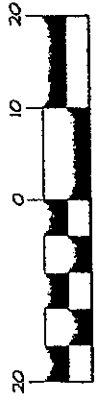
8.00'
S70°10'31"E

5.00'
N27°28'45"W

5.82'
S41°10'22"W

MARK K. REMLEY
 PPN 932-10-001
 248 Bell Street
 AFN: V97046210060
 VOL. 4621 PG. 60
 MAY 20th 1997

GRAPHIC SCALE



(IN FEET)
 1 inch = 20 ft.

254 Bell Street
 PATRICIA BECHHOLD

ALL MEASUREMENTS ARE
 BASED UPON
 THE RECORDS WITH A
 SCALE FACTOR OF
 1.0000368264.

CT Consultants