

10-24-85

FILED
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35 OCT 24 P 2:20

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

DONALD J. ROTHBERRY
CITY OF LORAIN, OHIO COUNTY

PLAINTIFF

VS.

DONNIE BARDEN, ET AL

DEFENDANTS

CASE NO. 94013-84

JUDGE FLOYD D. HARRIS

JUDGMENT ENTRY CONFIRMING
VERDICT

This cause came on to be heard on the 5th day of September, 1985, and a jury having been impaneled and sworn, pursuant to the order of this Court, for the assessment of compensation to be paid by the City of Lorain for the fee simple interest in the premises described in Plaintiff's Complaint for Appropriation, the Court finds that all necessary steps required by law have been taken by the City of Lorain, Plaintiff, and that all owners or other persons having or claiming to have an interest in the premises have been served according to law.

The Court further finds that the hearing was held more than five days after service of notice upon the Defendants and that the jury, having been impaneled and sworn, upon the evidence submitted, made the following award:

To the Defendants, as compensation for the fee simple interest in the parcel of 6.3301 acres of land and described as follows:

Situated in the City of Lorain, County of Lorain and State of Ohio, and known as being a part of Original Black River Township, Original Lot Number 4 in Tract Number 3 and being further bounded and described as follows:

Beginning at the intersection of the westerly line of Original Lot Number 4 and the southerly line of Old Lake Road (60 feet wide), said point being the principal place of beginning of the premises herein intended to be described:

COURSE I Thence North 78° 08' 00" East, along said southerly line of Old Lake Road, 470.08 feet to a point of curvature;

COURSE II Thence continuing along said southerly line of Old Lake Road, along the arc of said curve, deflecting to the left 372.21 feet, said curve having a radius of 789.43 feet and a chord which bears North 64° 37' 35" East, 368.77 feet to a point in the westerly line of land conveyed to Donald E. Buchs by deed recorded in Volume 1243, Page 564 of Lorain County Deed Records;

COURSE III Thence South 34° 20' 50" East, along said easterly line of Buchs' land, 278.73 feet to an iron pin found in the northerly line of land conveyed to Theresa Simon by deed recorded in Volume 393, Page 214 of Lorain County Deed Records;

COURSE IV Thence South 66° 01' 36" West, along said Simon's northerly line, 1045.02 feet to an iron pipe found in said westerly line of Original Lot Number 4;

LEGAL DEPARTMENT
CITY OF LORAIN, OHIO
EDWARD M. ZALESKI
LAW DIRECTOR
CITY HALL - 7TH FLOOR
LORAIN, OHIO 44082-1883
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I HEREBY CERTIFY THIS TO BE A TRUE AND
CERTIFIED COPY OF THE ORIGINAL ON FILE
IN THIS OFFICE.

DONALD J. ROTHBERRY, CLERK

BY Robert DEPUTY

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④ 02-03-004-000-03

COURSE V Thence North 0° 37' 39" East, along said westerly line of Original Lot Number 4, 400.07 feet to the principal place of beginning and containing 6.3301 acres of land, be the same more or less, but subject to all legal highways;

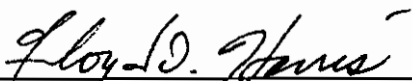
the sum of \$37,500.00, with no damages to the residue.

It having been further shown that the Plaintiff has deposited with the Clerk of this Court the sum of \$33,500.00 at the time of the filing of the Complaint for Appropriation, and thereafter, the additional sum of \$4,000.00, for a total of \$37,500.00, the Court finds that the Plaintiff is entitled to take possession and hold the rights and interest appropriated for the uses and purposes as set forth in the Complaint for Appropriation.

It is further ordered, adjudged and decreed, that the award made herein and set forth above is hereby confirmed; that payment of the total amount of the award for the parcel described above has been paid by the Plaintiff, City of Lorain, Ohio, to this Court and that the Plaintiff may take possession of said property; that a fee simple interest in the aforesaid premises be and the same is hereby duly vested in the Plaintiff City of Lorain, Ohio free and clear of all claims of the owners of the land and persons having an interest therein. Further, that in the event that the within appropriation should require removal or relocation of Defendant Ohio Edison Company's facilities, that it be fully and completely reimbursed for any and all expenses incurred due to such removal or relocation.

It is ordered that this Entry shall constitute and operate as a conveyance of Defendants' interests to Plaintiff; and that a certified copy of this Entry be transmitted to the Lorain County Auditor and to the Lorain County Recorder for recording in the Record of Deeds.

Costs to be paid by Plaintiff.



JUDGE FLOYD D. HARRIS