

LORAIN COUNTY

Board of Commissioners

Ted Kalo Lori Kokoski Tom Williams

County Administrator
James R. Cordes
440-329-5760

Clerk of Board of Commissioners
Theresa Upton
440-329-5103

Animal Control Officer
J. A. Szelepa Sr.
440-326-5997

Budget Director
Lisa Hobart
440-329-5201

Charles Berry Bridge Supervisor
Shan Koziura
440-244-2137

Children & Family Council
Melissa Stefano
440-284-4467

Community Development
Don Romancak
440-328-2323

E-9-1-1 Director
Robin Jones
440-329-5444

Emergency Management &
Homeland Security Director
Thomas Kelley
440-329-5117

Golden Acres Administrator
Jeri Dull
440-988-7210

Human Resources Department
440-329-5150

IT Director
Ernie Smith
440-329-5786

Lorain County Transit
440-329-5525

Maintenance Director
Dennis Shawver
440-329-5326

Office on Aging Director
Patricia Littleton
440-329-4818

Office of Sustainability Director
Michael Challenger
440-328-2361

Purchasing
440-329-5225

Records Center Supervisor
Lynn Wallace-Smith
440-326-4866

Solid Waste Director
Keith Bailey
440-329-5442

Special Projects Manager
Karen Davis
440-329-5102

Workforce Development
440-284-1830

July 26, 2012

Ernest J. Alessio
Real Estate Services LLC
3530 Pond View
Avon, OH 44011-2596

Dear Mr. Alessio:

Enclosed is a copy of Resolution No. 12-500, adopted by the Lorain County Board of Commissioners on July 27, 2012 vacating a highway easement in Sheffield Township Lot No. 111 and parts of Sublots 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat Volume 11, Page 24 of county records; intersection of centerlines of N. Ridge Road (SR254) & Hecock Ave.

This is being forwarded for your information and files.

Yours truly,

Theresa L. Upton
Clerk

tlu
Enclosure

Cc: Judy Nedwick, LC Recorder
Mark Stewart, LC Auditor
Kenneth P. Carney, LC Engineer
Ted Spillman, Tax Map Department
Sheffield Township Trustees
File

RESOLUTION NO. 12-500

In the matter of vacating a highway easement in Sheffield)
Township Lot No. 111 and parts of Sublots 1, 10 and 11) July 25, 2012
of the Rolling Heights Allotment as recorded in Plat Volume)
11, Page 24 of county records; intersection of centerlines of)
N. Ridge Road (SR254) & Hecock Ave)

WHEREAS, May 20, 2012 a request was received from Ernest J. Alessio Real Estate Service LLC on behalf of owner of the 1639 N. Ridge Road, Sheffield Township Brine North Ridge LLC to vacate a highway easement; and

WHEREAS, May 25, 2012 Engineer stated if this was vacated it would be at no detriment to the county; and

WHEREAS, Resolution No. 12-441 on June 27, 2012 received and journalized said request; and

WHEREAS, June 29, 2012 utility companies were notified and Columbia Gas stated there are no facilities in the area and July 5 8 owners were notified for 13 parcels; and

WHEREAS, July 6 & 13 notice of publication was in Morning Journal for the viewing to take place on July 20, 2012 at 9:30 a.m., at corner of Hecock Ave., & N. Ridge Road, Sheffield Township and hearing to take place on July 25, 2012 at 9:45 a.m.; and

WHEREAS, Commissioner Kokoski asked Assistant County Prosecutor Innes to administer an oath to anyone who may be giving Testimony; and

WHEREAS, Commissioner Kokoski asked if the Engineer's Office had any comments, Mr. Bill Holtzman said this is a right of way that was requested on the widening of SR254 for slope, which has since been filled in and no longer needed there is no detriment to the county if it was vacated; and

WHEREAS, Commissioner Kokoski and if there were any comments from Trustees, there was no one present; and

WHEREAS, Commissioner Kokoski asked if there were any landowners present that had any comments, there was no one present; and

NOW, THEREFORE BE IT RESOLVED, that the Commissioners hereby grant the vacation of the highway easement in Sheffield Township Lot No. 111 and parts of Sublots 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat Volume 11, Page 24 of county records; intersection of centerlines of N. Ridge Road (SR254) & Hecock Ave.

Said Legal Description is as follows:

Situated in the County of Lorain, State of Ohio and being known as part of Original Sheffield Township Lot No. 111, and parts of Sublot nos. 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat Volume 11 Page 24 of Lorain County Records, being further bounded and described as follows:

Beginning at the intersection of the centerlines of North Ridge Road (State Route 254, variable width) and Hecock Avenue (50 feet wide);

Thence, North 11 degrees 38'12" West a distance of 30.58 feet along the centerline of said Hecock Avenue, to a point thereon;

Thence South 89 degrees 30'00" West a distance of 25.48 feet to a point being the intersection of the Westerly line of Hecock Avenue with the Northerly line of North Ridge Road (State Route 254;

Thence, North 11 degrees 38'12" West a distance of 20.38 feet along the Westerly line of said Hecock Avenue, to the Principal Place of beginning;

Thence, South 89 degrees 30'00" West a distance of 198.17 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 4.20 feet to a point;

Thence, North 80 degrees 56'54" East a distance of 5.39 feet to a point;

Thence, North 81 degrees 01'49" East a distance of 101.84 feet to a point;

Thence, North 89 degrees 30'00" East a distance of 70.00 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 92.30 feet to a point on the Westerly line of said Hecock Avenue;

Thence, South 11 degrees 38'12" East a distance of 114.45 feet along the Westerly line of said Hecock Avenue, to the Principal Place of Beginning, as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in April, 2012. Basis of bearings is the centerline of North Ridge Road (North 89 degrees 30'00" East).

And;

FURTHER BE IT RESOLVED, said highway easement in Sheffield Township, Lorain County, Ohio shall accrue proportionately to the benefit of the adjacent property owners as provided by law.

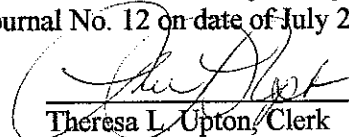
BE IT FURTHER RESOLVED, that the land is within the limits of said street as they are now established, shall forever remain, notwithstanding the passage of this resolution, subject to the rights of utilities now maintaining structures, fixtures and appurtenances in, under, over or upon said lands, to continue to maintain such structures, fixtures and appurtenances, and to enter upon said lands wherever reasonably necessary to do so for the purpose of inspecting, altering, replacing, repairing, patrolling and maintaining such structures, fixtures and appurtenances.

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to the County Recorder, Auditor, Engineer, Tax Map and Sheffield Township Trustees for recording and filing.

Commissioner Kokoski, seconded by Commissioner William to adopt. Upon roll call the vote Ayes: All.

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 12-500 is a true copy as it appears in Journal No. 12 on date of July 25, 2012.



Theresa L. Upton, Clerk



RESOLUTION NO. 12-441

In the matter of receiving and journalizing a vacation)
of highway easement in Sheffield Township Lot No. 111)
and parts of Sublots 1, 10 and 11 of the Rolling Heights)
Allotment as recorded in Plat volume 11, Page 24 of)
county records; intersection of centerlines of N. Ridge)
Road (SR254 & Hecock Ave) filed by Ernest J. Alessio)
Real Estate Services LLC as representative of Brine North)
Ridge LLC, owner of parcel)

June 27, 2012

WHEREAS, a request was received from Ernest J. Alessio Real Estate Services LLC on May 20, 2012 on behalf of the owner of the 1639 North Ridge Road, Sheffield Township, respectfully asking the county commissioners to consider approving modification of an old highway easement that negatively impacts this property rendering it nearly undevelopable. The existing easement affecting this property was originally created to protect the integrity of a widened and elevated highway (North Ridge Road) over 40 years ago. That easement no longer serves its intended purpose since the elevation of the subject parcel has been raised to the same level as the highway which now serves to protect the integrity of the road delimiting the need for such a large easement. We would like to offer a revised easement that would allow the owner to develop the property while protecting the existing utilities; and

WHEREAS, County Engineer by letter dated March 12, 2012 indicated "The "Easement for Highway Purposes" shown in yellow on the attached sketch was obtained by State of Ohio through an appropriation case when State Route 254 was widened in 1956 for \$6,700.00 paid to the owner of the lands. The easement was needed for the road widening and to allow for construction of a slope.

Since that time the State turned over the road to the County and the area has been filed in and a sanitary sewer was constructed along what is now known as North Ridge Road. We are of the opinion that the portion of the highway easement shown in orange on the attached exhibit could be acted by the County. We would retain the portion of the easement shown in green on the attachment for roadway and utility purposes including the sanitary sewer; and

WHEREAS, County Engineer by letter dated May 25, 2012 submitted the following:

"Mr. Ernest J. Alessio Real Estate Services LLC as representative of Brine North Ridge LLC, the owner of parcel of land at the northwest corner of North Ridge Road and Hecock Avenue in Sheffield Township has requested that the county vacate a portion of a highway easement that the County has along his northerly property line.

We have reviewed this request in March and made recommends to the Commissioners by letter dated March 12, 2012. The enclosed legal description is for the portion of the easement that is requested to be vacated which is shown in yellow on the enclosed map. This area follows our recommendation and if vacated would be at no detriment to the County."; and

WHEREAS, the vacated easement area is as follows;

Situated in the County of Lorain, State of Ohio and being known as part of Original Sheffield Township Lot No. 111, and parts of Sublot nos. 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat Volume 11 Page 24 of Lorain County Records, being further bounded and described as follows:

Beginning at the intersection of the centerlines of North Ridge Road (State Route 254, variable width) and Hecock Avenue (50 feet wide);

Thence, North 11 degrees 38'12" West a distance of 30.58 feet along the centerline of said Heckock Avenue, to a point thereon;

Thence South 89 degrees 30'00" West a distance of 25.48 feet to a point being the intersection of the Westerly line of Hecock Avenue with the Northerly line of North Ridge Road (State Route 254;

Thence, North 11 degrees 38'12" West a distance of 20.38 feet along the Westerly line of said Hecock Avenue, to the Principal Place of beginning;

Thence, South 89 degrees 30'00" West a distance of 198.17 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 4.20 feet to a point;

Thence, North 80 degrees 56'54" East a distance of 5.39 feet to a point;

Thence, North 81 degrees 01'49" East a distance of 101.84 feet to a point;

Thence, North 89 degrees 30'00" East a distance of 70.00 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 92.30 feet to a point on the Westerly line of said Hecock Avenue;

Thence, South 11 degrees 38'12" East a distance of 114.45 feet along the Westerly line of said Hecock Avenue, to the Principal Place of Beginning, as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in April, 2012. Basis of bearings is the centerline of North Ridge Road (North 89 degrees 30'00" East).

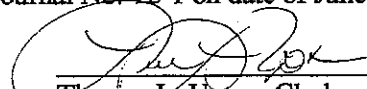
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lorain County, Ohio that we do hereby receive and journalize the proposed vacation request of a highway easement in Sheffield Township Lot No. 111 and parts of Sublots 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat volume 11, Page 24 of county records; intersection of centerlines of N. Ridge Road (SR254 & Hecock Ave) filed by Ernest J. Alessio Real Estate Services LLC as representative of Brine North Ridge LLC, owner of parcel, Lorain County, Ohio.

FURTHER BE IT RESOLVED we do hereby instruct the Clerk to notify property owners of the area to be vacated, for viewing to be held Friday, July 20 at 9:30 a.m. at the corner of Hecock Avenue and North Ridge Road, Sheffield Township, Ohio. Hearing will take place on Wednesday, July 25 at 9:45 a.m. in the office of the Lorain County Commissioners - J. Grant Keys, Lorain County Administration Building, 226 Middle Avenue, 4th Floor, Elyria, Ohio.

Motion by Kokoski, seconded by Williams to adopt Resolution. Ayes: All.

Motion carried.

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 12-441 is a true copy as it appears in Journal No. 12-1 on date of June 27, 2012.


Theresa L. Upton, Clerk

May 20, 2012

Re: 1639 North Ridge Road Sheffield Township Lorain Ohio.

Members of the Commission:

On behalf of the owner of the above referenced property, I respectfully ask that the county commissioners consider approving a modification of an old highway easement that negatively impacts this property rendering it nearly undevelopable. The existing easement affecting this property was originally created to protect the integrity of a widened and elevated highway (North Ridge Road) over 40 years ago. That easement no longer serves its intended purpose since the elevation of the subject parcel has been raised to the same level as the highway which now serves to protect the integrity of the road eliminating the need for such a large easement. We would like to offer a revised easement that would allow the owner to develop the property while protecting the existing utilities.

Ernest Alessio

Ernest J. Alessio Real Estate Services LLC

RECEIVED

2012 MAY 21 PM 12:08

KEN CARNEY
LORAIN COUNTY ENGINEER

THOMAS SIMON & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

150 South Olive Street
Elyria, Ohio 44035
(440) 327-2925
Fax (440) 327-2964

May 23, 2012
Job No. 2012-013

Vacated Easement Area

Situated in the County of Lorain, State of Ohio and being known as part of Original Sheffield Township Lot No. 111, and parts of Sublot nos. 1, 10 and 11 of the Rolling Heights Allotment as recorded in Plat Volume 11 Page 24 of Lorain County Records, being further bounded and described as follows:

Beginning at the intersection of the centerlines of North Ridge Road (State Route 254, variable width) and Heckock Avenue (50 feet wide);

Thence, North 11 degrees 38'12" West a distance of 30.58 feet along the centerline of said Heckock Avenue, to a point thereon;

Thence, South 89 degrees 30'00" West a distance of 25.48 feet to a point being the intersection of the Westerly line of Heckock Avenue with the Northerly line of North Ridge Road (State Route 254);

Thence, North 11 degrees 38'12" West a distance of 20.38 feet along the Westerly line of said Heckock Avenue, to the Principal Place of Beginning;

Thence, South 89 degrees 30'00" West a distance of 198.17 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 4.20 feet to a point;

Thence, North 80 degrees 56'54" East a distance of 5.39 feet to a point;

Thence, North 81 degrees 01'49" East a distance of 101.84 feet to a point;

Thence, North 89 degrees 30'00" East a distance of 70.00 feet to a point;

Thence, North 00 degrees 30'00" West a distance of 92.30 feet to a point on the Westerly line of said Heckock Avenue;

Thence, South 11 degrees 38'12" East a distance of 114.45 feet along the Westerly line of said Heckock Avenue, to the Principal Place of Beginning, as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in April, 2012. Basis of bearings is the centerline of North Ridge Road (North 89 degrees 30'00" East).



HECOCK AVE. (50')

ELYRIA AVE. (VAR. WIDTH)

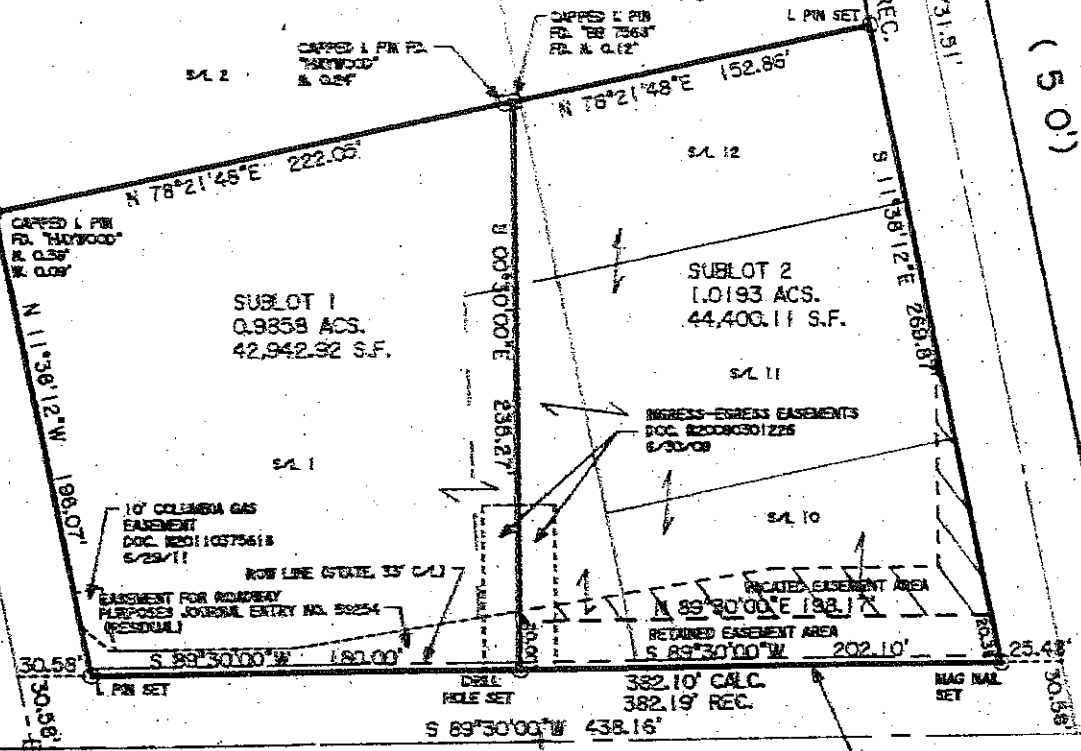
ROLLING HEIGHTS ALLOTMENT
PLAT VOLUME 11

LUTHER W. & CLEVA F. STAPLETON TRS.
DOC. REC. 00304322
11/17/00

NICHOLAS S. & JUSTINE M.
KORBECH TRS.
DOC. REC. 00744178
5/2/01

675.24' CALC. 675.51' REC.
N 11°38'12" W 731.28'

675.45' CALC. 675.51' REC.
S 11°38'12" E 731.51'



STATE PLAN LOR-254 (240-3.83)
C/L CURVE
R=64754.5'
A=420.00'
T=210.00'
B=60°05'00"

L PIN IN
MON. BOX
FD. & USED
P.I. STA. 177+89.27

P.T. STA. 179+99.27

NORTH RIDGE RO

382.10' CALC.
382.19' REC.

S 89°30'00" W 438.16'

ROW (PLAT. 30' CAL)

