

15-235

ODOT RE 203
Rev. 09/2012WVS
State Pmt. for LPA**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS THAT: County of Summit, Ohio, an Ohio charter county, the Grantor(s) herein, in consideration of the sum of \$1,200.00, to be paid by the State of Ohio, Department of Transportation, in the name of and for the use of the City of Akron, Ohio, the Grantee herein, does hereby grant, bargain, sell, convey and release, with general warranty covenants, to said Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 158 WDV1 & WDV2

SUM - 76 - 10.00

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Summit County Current Tax Parcel No. 6763041

Prior Instrument Reference: 55097926 & 54446867, Summit County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the same against all claims of all persons whomsoever.

The property conveyed herein to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

Grantor(s) has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor(s) provides timely

notice of a desire to repurchase; provided however that such right of repurchase is subject to the authority of the Director of Transportation to convey unneeded property pursuant to Section 5501.34 (F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. The within right of repurchase shall be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated.

IN WITNESS WHEREOF, County of Summit, Ohio, an Ohio charter county by and through _____, the _____ of County of Summit, Ohio, an Ohio charter county, has hereunto subscribed _____ name on the _____ day of _____, _____.

COUNTY OF SUMMIT, OHIO,
AN OHIO CHARTER COUNTY

By: _____

STATE OF OHIO, COUNTY OF SUMMIT ss:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the _____ of County of Summit, Ohio, an Ohio charter county, and who acknowledged the foregoing instrument to be the voluntary act and deed of said County of Summit, Ohio, an Ohio charter county.

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: _____

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

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RX 251 WDV

Rev. 05/09

Ver. Date 05/16/2014

PID 77269

**PARCEL 158-WDV1
SUM-76-10.00
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 AKRON, SUMMIT 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 City of Akron, County of Summit, State of Ohio and being part Lot 13, Tract 9 of original Coventry Township, being also part of a parcel of land, now or formerly owned by the County of Summit per Reception Number 55097926 (Parcel 1), this and all further references made to the Summit County Recorder records, and being more fully described as follows:

Being a parcel of land located on the right side of the centerline of proposed East South Street per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number _____ of the Summit County Recorder records.

Commencing at a 5/8" rebar found at the intersection of the existing south right of way line of East South Street (60 feet wide) and the existing east right of way line of Miami Street (45 feet wide), said point being located 31.06 feet right of proposed East South Street centerline of right of way Station 25+32.81 (30.00 feet right of existing South Street centerline of right of way Station 18+84.00), said rebar also being the **TRUE POINT OF BEGINNING** for the following parcel of land herein described;

Thence N 88° 58' 52" E, 24.72 feet, along the existing south right of way line of East South Street, to a rebar set, said rebar being located 30.22 feet right of the proposed East South Street centerline of right of way Station 25+56.75 (30.00 feet right of existing East South Street centerline of right of way Station 19+08.72);

thence 38.99 feet along a curve to the left and having a radius of 25.00 feet, a central angle of 89° 21' 49" and a chord bearing of S 44° 17' 57" W, 35.16 feet, to a point on the Grantor's west line and on the existing east right of way line of Miami Street, said point being located 55.77 feet right of the proposed East South Street centerline of right of way Station 25+33.63;

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Thence N 00° 22' 57" W, 24.72 feet, along the Grantor's west line and on the existing east right of way line of Miami Street, to the point of beginning and containing **0.003 acres of land**, more or less, or which 0.000 acres of land more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 6763041.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on May 16, 2014, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in November of 2013.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebar set are ¾" diameter x 30" long with rebar with 2" diameter aluminum cap stamped " ODOT RW – URS CORPORATION - 7122".

Dan Stankavich, P.S. 7122

Date

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Ver. Date 05/16/2014

PID 77269

**PARCEL 158-WDV2
SUM-76-10.00
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 AKRON, SUMMIT 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 City of Akron, County of Summit, State of Ohio and being part of Tract 9, Lot 13, being part of a parcel of land, now or formerly owned by the County of Summit per Reception Number 54446868, this and all further references made to the Summit County Recorder records, and being more fully described as follows:

Being a parcel of land located on the right side of the centerline of East South Street per a centerline plat made by URS Corporation for the Ohio Department of Transportation and recorded as Reception Number _____ of the Summit County Recorder records.

Commencing at a point at the northeast corner of Lot 13, said point being located on the exiting centerline of right of way of East South Street (50 feet wide) at the intersection of the centerline of right of way of Bellows Street (variable width), witness a 1" iron pin found in a monument box S 00°16'19"W, 315.36 feet at the intersection of the centerline of Bellows Street and Abel Street, said point being located at East South Street centerline Station 28+72.95;

Thence S 88°58'52" W, 45.88 feet, along the existing centerline of right of way of East South Street and the north line of Lot 13, to a point;

Thence S 01°01'08" E, 30.00 feet, perpendicular to the existing centerline of East South Street, to a point on the existing southerly right of way of East South Street, said point being on the north line of the Grantor, said point being located 30.00 feet right of East South Street centerline of right of way Station 28+27.07, said point also being the **TRUE POINT OF BEGINNING** for the following parcel herein described;

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Thence S 00° 17' 13" W, 7.02 feet, along the Grantor's north line and along the existing south right of way line of East South Street, to a point being located 37.02 feet right of East South Street centerline of right of way Station 28+26.91;

Thence N 88° 58' 52" E, 12.69 feet, along the Grantor's north line and along the existing south right of way line of East South Street, to a point of curvature of on the exiting west right of way line of Bellows Street, said point being located 37.02 feet right of East South Street centerline of right of way Station 28+39.60;

thence 8.91 fee, along the existing west line of Bellows Street and the Grantor's west line, along a curve to the right and having a radius of 15.00 feet, a central angle of 34° 02' 07" and a chord bearing of S 16° 28' 53" E, 8.78 feet, to a point being located 45.48 feet right of State Route 164 centerline of right of way Station 28+41.94;

Thence S 00° 17' 13" W, 6.52 feet, along the existing west line of Bellows Street and the Grantor's west line, a to rebar set, said rebar being located 52.00 feet right of East South Street centerline of right of way Station 28+41.79;

Thence S 88° 58' 52" W, 16.79 feet, to a rebar set, said rebar being located 52.00 feet right of East South Street centerline of right of way Station 28+25.00;

Thence N 01° 01' 08" W, 22.00 feet, to a rebar set on the existing south right of way line of East South Street and the Grantor's north line, said rebar being located 30.00 feet right of East South Street centerline of right of way Station 28+25.00;

Thence N 88° 58' 52" E, 2.07 feet, along the existing south right of way line of East South Street and the Grantor's north line, to the point of beginning and containing **0.006 acres of land**, more or less, or which 0.000 acres of land more or less, are present road occupied.

The above parcel is contained entirely within Summit County Fiscal Office Parcel Number 6763041.

The above description was prepared by Dan Stankavich, Professional Surveyor Number 7122, on May 16, 2014, and is based on a survey made for the State of Ohio by the URS Corporation, by or under the direct supervision of David P. Povich, Professional Surveyor Number 7773, in November of 2013.

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The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are ¾" diameter x 30" long with rebar with 2" diameter aluminum cap stamped " ODOT RW – URS CORPORATION - 7122".

Dan Stankavich, P.S.

Date