

13-107

To the Summit County Council:

EXHIBIT A

I, the undersigned abutting land owner of county right of way, dedicated by Garden Acres Allotment plat book 25, page 10 of the Summit County records which is more fully described in the legal description attached hereto as parcel "A" and incorporated herein by reference, located in Springfield Township, Summit County, Ohio do here by ask the Summit County Council to declare the vacation of said portion of right of way beginning at the northeast corner of sub lot 36 of the Garden Acres Allotment as recorded in plat book 25 page 10, thirty feet to the east and 304.14 feet to the south. A survey showing said proposed vacation is attached hereto and incorporated herein by reference.

In addition to the above said right of way vacation, I am herein asking Summit County Council, to consider the sale of the remaining 15 feet of the afore mentioned right of way due Summit County at a pre-determined price of \$156.34 in compliance with 177.16 (p). See attached Summit County Parcel Encroachment area calculation page for full legal description.

I, at the same time, would like to ask Summit County Council to consider the sale of part of land owned by The Board of Commissioners of Summit County as recorded in Deed Volume 4876 page 418 of the Summit County Recorders Office, which is more fully described in the legal description attached hereto as parcel "A" and incorporated herein by reference located in Springfield Township Summit County, Ohio beginning 30 feet east of the northeast corner of sub lot 36 of the Garden Acres Allotment as recorded in plat book 25 page 10 of the said Recorders office, then east 7.75 feet then south 304.14 feet for a pre-determined price of \$80.77. See attached Summit County Encroachment area calculation page for full legal description.

Thank you for your consideration in this matter.



Peter Kern
F. Kern Properties, LLC
2424 Canton Road
2438 Canton Road
Parcel #5100296
Parcel #5100297
Parcel #5100298
Parcel #5107632
Parcel #5107631

Description
Vacated portion of Right of Way
0.2635 Acres

Situated in the Township of Springfield, County of Summit and State of Ohio and known as being part of Tact 8, Lot 28. Beginning at the Northeast corner of sub lot 36 of the Garden Acres Allotment as recorded in Plat Book 25 Page 10 of said recorders office, being the **True Place of Beginning** for the parcel herein described, witness a 2" open top pipe found bearing South 69 Degrees 55 Minutes 06 Seconds West a distance of 0.13 feet,

Thence North 69 Degrees 49 Minutes 51 Seconds East, a distance of 37.75 feet.

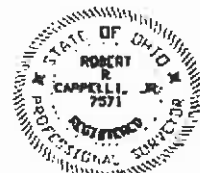
Thence South 20 Degrees 10 Minutes 09 Seconds East a distance of 304.14 feet.

Thence North 69 Degrees 49 Minutes 51 Seconds East a distance of 37.75 feet.

Thence North 20 Degrees 10 Minutes 09 Seconds West a distance of 304.14 feet to the **True Place of Beginning** and containing 0.1588 Acres as surveyed by Robert R. Cappelli, Jr., P.S. 7571 in April 2012.

Basis of Bearings is an assumed meridian and used to denote angles only.

12 DEC 12 AM 8:33
RECEIVED
COUNTY OF SUMMIT
COUNCIL



Robert R. Cappelli, Jr.
ROBERT R. CAPPELLI, JR.
P. S. 7571

Kern, County Parcel Encroachment Area Calculation

Parcel No.: 5110881

Encroachment Area: 7.75' X 304.14' = 2,357.09 sq. ft.

Total Parcel Area: 0.69 ac. X 43,560 = 30,056.40 sq. ft.

% of Total Area: $2,357.08 \div 30,056.40 = 0.078422067$

Encroachment Area: $30,056.40 \times 0.0784 = 2,357.09$ sq. ft.

Assessed Value of Parcel: \$ 1,030.00

Value of Encroachment Area: \$ 80.77

Sq. ft. Cost of Encroachment Area.*: \$ 0.0343

St. ROW to be Vacated: 30.00' X 304.14' = 9,124.20 sq. ft.

Vacation ROW Area due County (half): 4,562.10 sq. ft.

Cost for County ROW Area: \$ 156.34

Total Cost Co. ROW & Encroach. Area: \$.237.11

Note: * Calculated from assessed value of Parcel No. 5110881

