TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: the County of Summit, the Grantor(s) herein, in consideration of the sum of $700.00, to be paid by the State of Ohio, Department of Transportation, does hereby grant, bargain, sell, convey and release to the State of Ohio for the use and benefit of the Department of Transportation, the Grantee herein, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 45 T
SUM-76/77-11.27/12.12

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

Summit County Current Tax Parcel No. 67-09658 and 68-49171
Prior Instrument Reference: Instrument #55054328 and Instrument #54727404, Summit 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 twenty-four (24) 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 property conveyed herein to Grantee is being acquired for one of the statutory purposes for which 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.
IN WITNESS WHEREOF the County of Summit by and through Russell M. Pry, the Executive of the County of Summit, has hereunto subscribed his name on the ___ day of ________________, 2014.

COUNTY OF SUMMIT

By: Russell M. Pry, County Executive

STATE OF OHIO, COUNTY OF SUMMIT ss:

BE IT REMEMBERED, that on the ___ day of ________________, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Russell M. Pry, who acknowledged being the Executive of the County of Summit, and who acknowledged the foregoing instrument to be the voluntary act and deed of said County of Summit.

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.

TranSystems Real Estate
55 Public Square, Ste 1900
Cleveland, Ohio 44113
EXHIBIT A

PARCEL 45-T
SUM-76/77-11.27/12.12
TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO GRADE
FOR 24 MONTHS FROM DATE OF ENTRY BY THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION

[Surveyor's description of the premises follows]

Situated in the City of Akron, County of Summit, State of Ohio and being a part of Out Lot 5, Tract 9 and as conveyed to County of Summit (hereinafter known as the "Grantor") by Reception Nos. 54727404 and 55054328 of said county records:

Being a parcel of land lying on the left side of the centerline of right of way of South Street as part of the SUM-76/77-11.27/12.12 Centerline Plat recorded in Reception No. __________ of the records of Summit County and being bounded and described as follows:

Beginning at a ¾ inch iron pipe found at the southeast corner of Lot 120 of the Ledge Allotment (Plat Book 11, Page 15) as conveyed to Jennifer McColl, Trustee (Reception No. 55071923), the southwest corner of Lot 121 of said Allotment as conveyed to Abraham J. Gild (Reception No. 55573162) and on the north right of way line of said South Street; thence South 01 Degrees 06 Minutes 30 Seconds East, perpendicular to said right of way line, a distance of 30.00 feet to a point on the centerline of right of way of said South Street; thence North 88 Degrees 53 Minutes 30 Seconds East, along said centerline, a distance of 419.75 feet to a point; thence South 01 Degrees 06 Minutes 30 Seconds East, perpendicular to said centerline, a distance of 30.00 feet to a point on the south right of way line of said South Street and the north line of a parcel conveyed to John G. Irace (Reception No. 55033895); thence North 88 Degrees 53 Minutes 30 Seconds East, along said line, a distance of 33.89 feet to an iron pin with cap “COA” found at the northwest corner of the Grantor’s parcel and the northeast corner of said Irace parcel, said corner being 30.00 feet left of Station 24+23.87 of the centerline of right of way of South Street and also being the TRUE PLACE OF BEGINNING for the parcel hereinafter described, thence in a clockwise direction along the following ten (10) courses and distances:

1. Thence North 88 Degrees 53 Minutes 30 Seconds East, along the Grantor’s north line and the south right of way line of said South Street, a distance of 15.02 feet to a 5/8 inch by 30 inch rebar with cap “GPD” set;
EXHIBIT A

2. Thence east along a non-tangential curve to the south having a radius of 41.00 feet, a central angle of 53 Degrees 06 Minutes 53 Seconds, a chord bearing South 51 Degrees 52 Minutes 14 Seconds East, a distance of 36.66 feet, an arc length of 38.01 feet to a 5/8 inch by 30 inch rebar with cap “GPD” set;

3. Thence southeast along a tangential curve to the northeast having a radius of 59.00 feet, a central angle of 67 Degrees 16 Minutes 08 Seconds, a chord bearing South 58 Degrees 56 Minutes 51 Seconds East, a distance of 65.36 feet, an arc length of 69.27 feet to a 5/8 inch by 30 inch rebar with cap “GPD” set on the Grantor’s east line and the west right of way line of Spicer Street Extension;

4. Thence South 00 Degrees 09 Minutes 12 Seconds East, along said line, a distance of 22.77 feet to a point;

5. Thence North 90 Degrees 00 Minutes 00 Seconds West, a distance of 19.24 feet to a point;

6. Thence North 00 Degrees 00 Minutes 00 Seconds East, a distance of 9.57 feet to a point;

7. Thence west along a non-tangential curve to the north having a radius of 74.00 feet, a central angle of 51 Degrees 47 Minutes 20 Seconds, a chord bearing North 51 Degrees 12 Minutes 27 Seconds West, a distance of 64.63 feet, an arc length of 66.89 feet to a point;

8. Thence northwest along a tangential curve to the southwest having a radius of 26.00 feet, a central angle of 53 Degrees 06 Minutes 53 Seconds, a chord bearing North 51 Degrees 52 Minutes 14 Seconds West, a distance of 23.25 feet, an arc length of 24.10 feet to a point;

9. Thence North 80 Degrees 30 Minutes 43 Seconds West, a distance of 12.26 feet to a point on the Grantor’s west line and the east line of said Irace parcel;

10. Thence North 00 Degrees 23 Minutes 30 Seconds East, a distance of 12.38 feet to the TRUE PLACE OF BEGINNING.

The above described tract contains 0.0454 acres, of which 0.0171 acres is out of Parcel 68439171 and 0.0283 acres is out of Parcel 6709658, more or less, and subject to all easements, restrictions and covenants of record.
EXHIBIT A

RX 286 T

The above described area is contained within Summit County Parcel Numbers 6849171 and 6709658.

The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(CORS96).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey completed by GPD Group in December 2010.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group

Steven L. Mullaney, P.S.
Professional Surveyor No. 7900

August 7, 2013
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