

**ACKNOWLEDGMENT OF RECEIPT
OF
NOTICE OF INTENT TO ACQUIRE AND GOOD FAITH OFFER**

Re: Way-East Pine Street
Parcel Number: 2
Interest Acquired: SHV, TV

Each of the undersigned acknowledges that a copy of the foregoing Notice of Intent to Acquire and Good Faith Offer was delivered to the undersigned by the City of Orrville. This Acknowledgment of Receipt of Notice of Intent to Acquire and Good Faith Offer does NOT indicate or imply in any way that the undersigned has waived or will waive any objections the undersigned might have, to the City of Orrville's efforts to acquire the undersigned's property. Furthermore, the undersigned's signature on this Acknowledgment of Receipt of Notice of Intent to Acquire and Good Faith Offer does NOT indicate or imply in any way that the undersigned has accepted or will accept any of the terms, provision or conditions set out in this Good Faith Offer.

(Owner's signature)

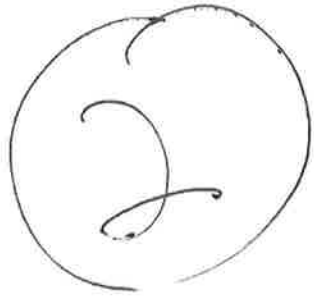
(Date)

(Print owner's name)

(Owner's signature)

(Date)

(Print owner's name)



EASEMENT

The Will-Burt Company, aka Will-Burt Company, aka The Will-Burt Company, an Ohio Corporation, the Grantor(s), in consideration of the sum of \$50,260.00, to be paid by the City of Orrville, Ohio, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

PARCEL(S): 2 SHV

WAY - E. PINE STREET PID 95089

SEE EXHIBIT A ATTACHED

Wayne County Current Tax Parcel No. 58-0650.001
Prior Instrument Reference: Official Record Volume 84, Page 802
, Wayne County Recorder's Office.

Grantor(s), for itself and their successors and assigns, covenant(s) with the Grantee, its successors and assigns, that they are the true and lawful owner(s) in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, 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 property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed for the above-stated purpose, the Grantor(s) has a right under Section 163.211 of the Revised Code to repurchase the property for its 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 an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) decline 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 The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation has caused its name to be subscribed by _____, its duly authorized _____, and its duly authorized agent on the _____ day of December , 2018.

THE WILL-BURT COMPANY, AKA WILL-BURT COMPANY, AKA THE WILL-BURT COMPANY, AN OHIO CORPORATION

By: _____

STATE OF OHIO, COUNTY OF Wayne SS:

BE IT REMEMBERED, that on the _____ day of December , 2018, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the _____ and duly authorized agent of The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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: The City of Orrville, Ohio

EXHIBIT A

Page 1 of 3

Rev. 06/09

RX 271 SHV

Ver. Date 11/17/2014

PID 95089

**PARCEL 2-SHV
WAY-EAST PINE STREET
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF ORRVILLE, WAYNE COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Orrville, Wayne County, Ohio, its successors and assigns forever.

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).

DNT

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Wayne, City of Orrville, Township of Baughman in the northwest quarter of Section 30, T-17N, R-11W;

Being part of a record 0.350 Acre Parcel known as Lot Number 3290 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **The Will-Burt Company, AKA Will-Burt Company, AKA The Will-Burt Company, Inc., an Ohio Corporation** by Official Record Volume 84, Page 802 of the Wayne County Recorder's Records and being a parcel of land lying on the left side of the centerline of right of way and construction of East Pine Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and being bounded and described as follows:

Commencing for reference at a point at a southwesterly corner of said Lot Number 3290, at the intersection of the existing northerly right of way line of East Pine Street as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and the existing easterly right of way line of South Main Street (66' R/W) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 25.00 feet left of Station 10+33.05 of said centerline of right of way and construction of East Pine Street, and being the **Principle Point of Beginning** for the parcel described herein;

EXHIBIT A

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1. **thence North 01 degrees 11 minutes 37 seconds East**, for a distance of **43.00 feet**, along the westerly line of said Lot Number 3290 and the said existing easterly right of way line of South Main Street, to a railroad spike set, being 68.00 feet left of Station 10+33.13 of said centerline of right of way and construction of East Pine Street;
2. **thence South 13 degrees 17 minutes 46 seconds East**, for a distance of **19.61 feet**, to a railroad spike set, being 49.00 feet left of Station 10+38.00 of said centerline of right of way and construction of East Pine Street;
3. **thence South 43 degrees 54 minutes 52 seconds East**, for a distance of **19.80 feet**, to a railroad spike set, being 35.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;
4. **thence South 73 degrees 23 minutes 25 seconds East**, for a distance of **18.68 feet**, to a railroad spike set, being 30.00 feet left of Station 10+70.00 of said centerline of right of way and construction of East Pine Street;
5. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **110.72 feet**, to a railroad spike set on a southeasterly line of said Lot Number 3290 and a northwesterly line of a calculated 0.038 Acre Parcel as conveyed to **The Wheeling and Lake Erie Railway Company, a Delaware Corporation** by Deed Volume 668, Page 469 of the Wayne County Recorder's Records, being 30.00 feet left of Station 11+80.72 of said centerline of right of way and construction of East Pine Street;
6. **thence South 75 degrees 40 minutes 11 seconds West**, for a distance of **18.81 feet**, along a southeasterly line of said Lot Number 3290 and a northwesterly line of said 0.038 Acre Parcel, to a point at a southeasterly corner of said Lot Number 3290, a southwesterly corner of said 0.038 Parcel and on the said existing northerly right of way line of East Pine Street, being 25.00 feet left of Station 11+62.58 of said centerline of right of way and construction of East Pine Street;
7. **thence North 88 degrees 54 minutes 52 seconds West**, for a distance of **129.54 feet**, along a southerly line of said Lot Number 3290 and the said existing northerly right of way line of East Pine Street to the to the **Principle Point of Beginning** and containing an area of 0.024 acres.

Out of Auditor Parcel Number 58-00650.001

The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(1986) Datum.

EXHIBIT A

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The iron pins set are 3/4 inch rebar 30 inches long with 2 inch aluminum caps marked "City of Orrville R/W Engineering Associates 7287".

The stations referred to herein are from the centerline of right of way and construction of East Pine Street as found on O.D.O.T. Right of Way Plan WAY-East Pine Street.

This description was prepared and reviewed under the direct supervision of D. Lynn Snyder P.S. 7287, from a survey by Engineering Associates, Inc. in October through December 2008, January through March 2009, March through May 2013 and September 2013.

Date: 6/1/2017

D. Lynn Snyder
D. Lynn Snyder 7287



3

TEMPORARY EASEMENT

The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation, the Grantor(s), in consideration of the sum of \$625.00, to be paid by the City of Orrville, Ohio, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 2 TV

WAY – E. PINE STREET PID 95089

WAYNE County Current Tax Parcel No. APN 58-0650.001

Prior Instrument Reference: Official Record Volume 84, Page 802, Wayne County Recorder's Office.

To have and to hold the temporary easement(s), 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(s) granted to the Grantee is 6 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 temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation has caused its name to be subscribed by _____, its duly authorized _____, and its duly authorized agent on the _____ day of December , 2018.

THE WILL-BURT COMPANY, AKA WILL-BURT COMPANY, AKA THE WILL-BURT COMPANY, AN OHIO CORPORATION

By: _____

STATE OF OHIO, COUNTY OF Wayne SS:

BE IT REMEMBERED, that on the _____ day of December , 2018, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the _____ and duly authorized agent of The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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: The City of Orrville, Ohio

EXHIBIT A

Page 1 of 4

RX 287 TV

Rev. 12/16

Ver. Date 06/27/18

PID 95089

**PARCEL 2-TV
WAY-EAST PINE STREET
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A RAILROAD CROSSING AND COMPLETE GRADING
FOR 6 MONTHS FROM DATE OF ENTRY BY THE
CITY OF ORRVILLE, WAYNE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Wayne, City of Orrville, Township of Baughman in the northwest quarter of Section 30, T-17N, R-11W;

DIAT

Being part of a record 0.350 Acre Parcel known as Lot Number 3290 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **The Will-Burt Company, AKA Will-Burt Company, AKA The Will-Burt Company, Inc., an Ohio Corporation** by Official Record Volume 84, Page 802 of the Wayne County Recorder's Records and being a parcel of land lying on the left side of the centerline of right of way and construction of East Pine Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and being bounded and described as follows:

Commencing for reference at railroad spike set on a westerly line of said Lot Number 3290, and the existing easterly right of way line of South Main Street (66' R/W) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 68.00 feet left of Station 10+33.13 of said centerline of right of way and construction of East Pine Street, and being the **Principle Point of Beginning** for the parcel described herein;

1. **thence North 01 degrees 11 minutes 37 seconds East**, for a distance of **7.00 feet**, along the westerly line of said Lot Number 3290 and the said existing easterly right of way line of South Main Street, to a point, being 75.00 feet left of Station 10+33.14 of said centerline of right of way and construction of East Pine Street;
2. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **11.86 feet**, to a point, being 75.00 feet left of Station 10+45.00 of said centerline of right of way and construction of East Pine Street;
3. **thence South 18 degrees 12 minutes 16 seconds East**, for a distance of **21.19 feet**, to a point, being 55.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;

EXHIBIT A

4. **thence South 88 degrees 54 minutes 52 seconds East, for a distance of 105.00 feet, to a point, being 55.00 feet left of Station 11+57.00 of said centerline of right of way and construction of East Pine Street;**
5. **thence North 01 degrees 05 minutes 08 seconds East, for a distance of 29.49 feet, to a point on a northerly line of said Lot Number 3290 and the southerly line of Lot Number 3289 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **John Brown's Furniture, Inc.**, being 84.49 feet left of Station 11+57.00 of said centerline of right of way and construction of East Pine Street;**
6. **thence South 89 degrees 40 minutes 25 seconds East, for a distance of 11.11 feet, along the northerly line of said Lot Number 3290 and a southerly line of said Lot Number 3289, to a 5/8" rebar found at a corner of said Lot Number 3290 and said Lot Number 3289, being 84.63 feet left of Station 11+68.11 of said centerline of right of way and construction of East Pine Street;**
7. **thence North 01 degrees 07 minutes 50 seconds East, for a distance of 3.37 feet, along a westerly line of said Lot Number 3290 and an easterly line of said Lot Number 3289, to a point, being 88.00 feet left of Station 11+68.11 of said centerline of right of way and construction of East Pine Street;**
8. **thence South 88 degrees 54 minutes 52 seconds East, for a distance of 56.89 feet to a point, being 88.00 feet left of Station 12+25.00 of said centerline of right of way and construction of East Pine Street;**
9. **thence South 01 degrees 05 minutes 08 seconds West, for a distance of 33.00 feet to a point, being 55.00 feet left of Station 12+25.00 of said centerline of right of way and construction of East Pine Street;**
10. **thence South 88 degrees 54 minutes 52 seconds East, for a distance of 27.00 feet, to a point, being 55.00 feet left of Station 12+52.00 of said centerline of right of way and construction of East Pine Street;**
11. **thence North 39 degrees 02 minutes 53 seconds East, for a distance of 31.71 feet, to a point on the easterly line of said Lot Number 3290 and the existing westerly right of way line of Walnut Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 80.00 feet left of Station 12+71.51 of said centerline of right of way and construction of East Pine Street;**

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12. **thence South 01 degrees 07 minutes 43 seconds West**, for a distance of **24.97 feet**, along the easterly line of said Lot Number 3290 and the said existing westerly right of way line of Walnut Street, to a drill hole set in concrete set at a southeasterly corner of said Lot Number 3290 and a northerly corner of a calculated 0.038 Acre Parcel as conveyed to **The Wheeling and Lake Erie Railway Company, a Delaware Corporation** by Deed Volume 668, Page 469 of the Wayne County Recorder's Records, being 55.03 feet left of Station 12+71.49 of said centerline of right of way and construction of East Pine Street;
13. **thence South 75 degrees 40 minutes 11 seconds West**, for a distance of **94.16 feet**, along a southeasterly line of said Lot Number 3290 and a northwesterly line of said 0.038 Acre Parcel, to a railroad spike set, being 30.00 feet left of Station 11+80.72 of said centerline of right of way and construction of East Pine Street;
14. **thence North 88 degrees 54 minutes 52 seconds West**, for a distance of **110.72 feet**, to a railroad spike set, being 30.00 feet left of Station 10+70.00 of said centerline of right of way and construction of East Pine Street;
15. **thence North 73 degrees 23 minutes 25 seconds West**, for a distance of **18.68 feet**, to a railroad spike set, being 35.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;
16. **thence North 43 degrees 54 minutes 52 seconds West**, for a distance of **19.80 feet**, to a railroad spike set, being 49.00 feet left of Station 10+38.00 of said centerline of right of way and construction of East Pine Street;
17. **thence North 13 degrees 17 minutes 46 seconds West**, for a distance of **19.61 feet**, to the **Principle Point of Beginning** and containing an area of 0.166 acres.

Out of Auditor Parcel Number 58-00650.001

The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(1986) Datum.

The iron pins set are 3/4 inch rebar 30 inches long with 2 inch aluminum caps marked "City of Orrville R/W Engineering Associates 7287".

The stations referred to herein are from the centerline of right of way and construction of East Pine Street as found on O.D.O.T. Right of Way Plan WAY-East Pine Street.

EXHIBIT A

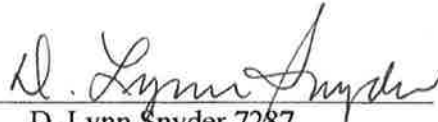
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This description was prepared and reviewed under the direct supervision of D. Lynn Snyder P.S. 7287, from a survey by Engineering Associates, Inc. in October through December 2008, January through March 2009, March through May 2013 and September 2013.

Date: 6/27/18


D. Lynn Snyder 7287



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**RESOLUTION OF
THE WILL-BURT COMPANY, AKA WILL-BURT COMPANY, AKA THE WILL-
BURT COMPANY, AN OHIO CORPORATION**

WHEREAS, the City of Orrville, Ohio desires to acquire a certain parcel or parcels of land for highway purposes on and over certain lands, owned by this Corporation, and more particularly described as follows:

PARCEL(S): 2 SHV, TV
WAY - E. Pine Street PID 95089

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

WHEREAS, the City of Orrville, Ohio has offered the sum of \$51,245.00 for the purchase of said certain parcel or parcels of land.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation that _____ shall be, and hereby is, the duly authorized, empowered and acting agent of The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation for the purpose of executing and delivering to City of Orrville, Ohio all necessary instruments to effect a good and sufficient conveyance of said certain parcel or parcels of land from The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation to City of Orrville, Ohio, for the hereinabove mentioned consideration.

I, _____, Secretary of The Will-Burt Company, Aka Will-Burt Company, Aka The Will-Burt Company, An Ohio Corporation, hereby certify that on _____, there was held a meeting of the Board of Directors of said corporation, at which a quorum was present; that this is a true and correct copy of a resolution adopted at said meeting, and that this resolution is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto subscribed my signature on December _____, 2018.

EXHIBIT A

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Rev. 06/09

Ver. Date 11/17/2014

PID 95089

**PARCEL 2-SHV
WAY-EAST PINE STREET
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF ORRVILLE, WAYNE COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Orrville, Wayne County, Ohio, its successors and assigns forever.

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).

DAT

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Wayne, City of Orrville, Township of Baughman in the northwest quarter of Section 30, T-17N, R-11W;

Being part of a record 0.350 Acre Parcel known as Lot Number 3290 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **The Will-Burt Company, AKA Will-Burt Company, AKA The Will-Burt Company, Inc., an Ohio Corporation** by Official Record Volume 84, Page 802 of the Wayne County Recorder's Records and being a parcel of land lying on the left side of the centerline of right of way and construction of East Pine Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and being bounded and described as follows:

Commencing for reference at a point at a southwesterly corner of said Lot Number 3290, at the intersection of the existing northerly right of way line of East Pine Street as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and the existing easterly right of way line of South Main Street (66' R/W) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 25.00 feet left of Station 10+33.05 of said centerline of right of way and construction of East Pine Street, and being the **Principle Point of Beginning** for the parcel described herein;

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1. **thence North 01 degrees 11 minutes 37 seconds East**, for a distance of **43.00 feet**, along the westerly line of said Lot Number 3290 and the said existing easterly right of way line of South Main Street, to a railroad spike set, being 68.00 feet left of Station 10+33.13 of said centerline of right of way and construction of East Pine Street;
2. **thence South 13 degrees 17 minutes 46 seconds East**, for a distance of **19.61 feet**, to a railroad spike set, being 49.00 feet left of Station 10+38.00 of said centerline of right of way and construction of East Pine Street;
3. **thence South 43 degrees 54 minutes 52 seconds East**, for a distance of **19.80 feet**, to a railroad spike set, being 35.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;
4. **thence South 73 degrees 23 minutes 25 seconds East**, for a distance of **18.68 feet**, to a railroad spike set, being 30.00 feet left of Station 10+70.00 of said centerline of right of way and construction of East Pine Street;
5. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **110.72 feet**, to a railroad spike set on a southeasterly line of said Lot Number 3290 and a northwesterly line of a calculated 0.038 Acre Parcel as conveyed to **The Wheeling and Lake Erie Railway Company, a Delaware Corporation** by Deed Volume 668, Page 469 of the Wayne County Recorder's Records, being 30.00 feet left of Station 11+80.72 of said centerline of right of way and construction of East Pine Street;
6. **thence South 75 degrees 40 minutes 11 seconds West**, for a distance of **18.81 feet**, along a southeasterly line of said Lot Number 3290 and a northwesterly line of said 0.038 Acre Parcel, to a point at a southeasterly corner of said Lot Number 3290, a southwesterly corner of said 0.038 Parcel and on the said existing northerly right of way line of East Pine Street, being 25.00 feet left of Station 11+62.58 of said centerline of right of way and construction of East Pine Street;
7. **thence North 88 degrees 54 minutes 52 seconds West**, for a distance of **129.54 feet**, along a southerly line of said Lot Number 3290 and the said existing northerly right of way line of East Pine Street to the to the **Principle Point of Beginning** and containing an area of 0.024 acres.

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This description was prepared and reviewed under the direct supervision of D. Lynn Snyder P.S. 7287, from a survey by Engineering Associates, Inc. in October through December 2008, January through March 2009, March through May 2013 and September 2013.

Date: 6/1/2017

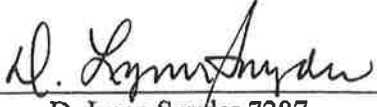

D. Lynn Snyder 7287



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Rev. 12/16

Ver. Date 06/27/18

PID 95089

**PARCEL 2-TV
WAY-EAST PINE STREET
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A RAILROAD CROSSING AND COMPLETE GRADING
FOR 6 MONTHS FROM DATE OF ENTRY BY THE
CITY OF ORRVILLE, WAYNE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Wayne, City of Orrville, Township of Baughman in the northwest quarter of Section 30, T-17N, R-11W;

Being part of a record 0.350 Acre Parcel known as Lot Number 3290 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **The Will-Burt Company, AKA Will-Burt Company, AKA The Will-Burt Company, Inc., an Ohio Corporation** by Official Record Volume 84, Page 802 of the Wayne County Recorder's Records and being a parcel of land lying on the left side of the centerline of right of way and construction of East Pine Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street and being bounded and described as follows:

Commencing for reference at railroad spike set on a westerly line of said Lot Number 3290, and the existing easterly right of way line of South Main Street (66' R/W) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 68.00 feet left of Station 10+33.13 of said centerline of right of way and construction of East Pine Street, and being the **Principle Point of Beginning** for the parcel described herein;

1. **thence North 01 degrees 11 minutes 37 seconds East**, for a distance of **7.00 feet**, along the westerly line of said Lot Number 3290 and the said existing easterly right of way line of South Main Street, to a point, being 75.00 feet left of Station 10+33.14 of said centerline of right of way and construction of East Pine Street;
2. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **11.86 feet**, to a point, being 75.00 feet left of Station 10+45.00 of said centerline of right of way and construction of East Pine Street;
3. **thence South 18 degrees 12 minutes 16 seconds East**, for a distance of **21.19 feet**, to a point, being 55.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;

EXHIBIT A

4. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **105.00 feet**, to a point, being 55.00 feet left of Station 11+57.00 of said centerline of right of way and construction of East Pine Street;
5. **thence North 01 degrees 05 minutes 08 seconds East**, for a distance of **29.49 feet**, to a point on a northerly line of said Lot Number 3290 and the southerly line of Lot Number 3289 as recorded in Plat Volume 22, Page 33 of the Wayne County Recorder's Records as conveyed to **John Brown's Furniture, Inc.**, being 84.49 feet left of Station 11+57.00 of said centerline of right of way and construction of East Pine Street;
6. **thence South 89 degrees 40 minutes 25 seconds East**, for a distance of **11.11 feet**, along the northerly line of said Lot Number 3290 and a southerly line of said Lot Number 3289, to a 5/8" rebar found at a corner of said Lot Number 3290 and said Lot Number 3289, being 84.63 feet left of Station 11+68.11 of said centerline of right of way and construction of East Pine Street;
7. **thence North 01 degrees 07 minutes 50 seconds East**, for a distance of **3.37 feet**, along a westerly line of said Lot Number 3290 and an easterly line of said Lot Number 3289, to a point, being 88.00 feet left of Station 11+68.11 of said centerline of right of way and construction of East Pine Street;
8. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **56.89 feet** to a point, being 88.00 feet left of Station 12+25.00 of said centerline of right of way and construction of East Pine Street;
9. **thence South 01 degrees 05 minutes 08 seconds West**, for a distance of **33.00 feet** to a point, being 55.00 feet left of Station 12+25.00 of said centerline of right of way and construction of East Pine Street;
10. **thence South 88 degrees 54 minutes 52 seconds East**, for a distance of **27.00 feet**, to a point, being 55.00 feet left of Station 12+52.00 of said centerline of right of way and construction of East Pine Street;
11. **thence North 39 degrees 02 minutes 53 seconds East**, for a distance of **31.71 feet**, to a point on the easterly line of said Lot Number 3290 and the existing westerly right of way line of Walnut Street (R/W Varies) as shown on O.D.O.T. Right of Way Plan WAY-East Pine Street, being 80.00 feet left of Station 12+71.51 of said centerline of right of way and construction of East Pine Street;

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12. **thence South 01 degrees 07 minutes 43 seconds West**, for a distance of **24.97 feet**, along the easterly line of said Lot Number 3290 and the said existing westerly right of way line of Walnut Street, to a drill hole set in concrete set at a southeasterly corner of said Lot Number 3290 and a northerly corner of a calculated 0.038 Acre Parcel as conveyed to **The Wheeling and Lake Erie Railway Company, a Delaware Corporation** by Deed Volume 668, Page 469 of the Wayne County Recorder's Records, being 55.03 feet left of Station 12+71.49 of said centerline of right of way and construction of East Pine Street;
13. **thence South 75 degrees 40 minutes 11 seconds West**, for a distance of **94.16 feet**, along a southeasterly line of said Lot Number 3290 and a northwesterly line of said 0.038 Acre Parcel, to a railroad spike set, being 30.00 feet left of Station 11+80.72 of said centerline of right of way and construction of East Pine Street;
14. **thence North 88 degrees 54 minutes 52 seconds West**, for a distance of **110.72 feet**, to a railroad spike set, being 30.00 feet left of Station 10+70.00 of said centerline of right of way and construction of East Pine Street;
15. **thence North 73 degrees 23 minutes 25 seconds West**, for a distance of **18.68 feet**, to a railroad spike set, being 35.00 feet left of Station 10+52.00 of said centerline of right of way and construction of East Pine Street;
16. **thence North 43 degrees 54 minutes 52 seconds West**, for a distance of **19.80 feet**, to a railroad spike set, being 49.00 feet left of Station 10+38.00 of said centerline of right of way and construction of East Pine Street;
17. **thence North 13 degrees 17 minutes 46 seconds West**, for a distance of **19.61 feet**, to the **Principle Point of Beginning** and containing an area of 0.166 acres.

Out of Auditor Parcel Number 58-00650.001

The Basis of Bearing referred to herein is relative to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(1986) Datum.

The iron pins set are 3/4 inch rebar 30 inches long with 2 inch aluminum caps marked "City of Orrville R/W Engineering Associates 7287".

The stations referred to herein are from the centerline of right of way and construction of East Pine Street as found on O.D.O.T. Right of Way Plan WAY-East Pine Street.

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This description was prepared and reviewed under the direct supervision of D. Lynn Snyder P.S. 7287, from a survey by Engineering Associates, Inc. in October through December 2008, January through March 2009, March through May 2013 and September 2013.

Date: 6/27/18

D. Lynn Snyder
D. Lynn Snyder 7287





The RE 95

REV. JAN 2007

C/R/S WAY - E. Pine Street
 Parcel 2 SHV, TV
 PID 95089

The purpose of the RE 95 is to identify improvements in the take area, to classify these improvements as real property or personal property and to identify who owns these improvements. Improvements classified as real property are valued in the appraisal process and ODOT will purchase these improvements. Items classified as personal property are moved in the relocation process.

Address of Property	South Main Street, Orville, OH
Name of Person Occupying the Property	Will-Burt Company
Fee Owner's Name:	The Will-Burt Company, aka Will-Burt Company, aka The Will-Burt Company, an Ohio corporation
Brief Description of Property Type:	Vacant Commercial Parking Lot

#	Description of Improvements in Take Area:	Classification (Real or Personal Property)	Ownership (Fee/Tenant)
1.	2 Concrete Parking Stops	Real	Fee
2.	Asphalt Parking	Real	Fee
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The RE 95

REV. JAN 2007

C/R/S WAY - E. Pine Street
Parcel 2 SHV, TV
PID 95089

11.
12.
Attach an Addendum if more space is needed for inventory.

The parties signing this form understand that all items classified as real property must be present on the property when ODOT takes possession. The amount paid to the owner will be reduced by the value of any items that are not present on the property when ODOT takes possession.

Fee Owner: Signature: _____

 Name Printed: _____

 Date: _____

Tenant/Occupant: Signature: _____

 Name Printed: _____

 Date: _____

Agent for City: Signature: Kimberly Allensworth

 Name Printed: Kimberly Allensworth, O.R. Colan Associates

 Date: 12/5/2018

Comment area (if needed):

