

RESOLUTION NO. 2-2013

Offered by All of Council

A RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CONTRIBUTION OF A PERPETUAL EASEMENT INTEREST IN LAND TO THE VILLAGE OF RICHFIELD FOR TRAIL PURPOSES BY MARK E. PARKER AND SUZANNE J. SERDINAK, AND DECLARING AN EMERGENCY.

WHEREAS, in 2009, Mark E. Parker and Suzanne J. Serdinak conveyed to the Village of Richfield a perpetual easement for the dedicated use of .3 acres of land as a trail connecting State Route 303 and Richfield Woods Park, as described and set forth in the attached Exhibit A; and

WHEREAS, the ability to install and landscape said hike/bike trail has facilitated access to Richfield Woods Park and enhanced the quality of life within the Village of Richfield; and

WHEREAS, this Council wishes to recognize the contribution of a valuable perpetual easement, for hike/bike purposes, on land owned by Mark E. Parker and Suzanne J. Serdinak.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the trail on the property made available to the Village by way of the easement contributed by Mark E. Parker and Suzanne J. Serdinak shall be known as “The Parker-Serdinak Trail.”

SECTION 2. That the Village may erect signage, in appropriate locations, reflecting the name and existence of The Parker-Serdinak Trail, and may otherwise refer to the trail property as such.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to erect signs identifying the location and name of the bike/hike trail leading to Richfield Woods Park nt at the earliest possible time; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor;

otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 5/7/13

Rick Hudak  
President of Council

Balbir Beshara  
Mayor

ATTEST:

Dated: 5-7-13

Asa Spraggins  
Clerk of Council

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that MARK E. PARKER and SUZANNE J. SERDINAK, hereinafter together with their successors and assigns called the Grantor, whose address is 4781 West Streetsboro Road, Richfield, Ohio 44286, claiming title by virtue of an instrument recorded as Document No. 55243142, Pages 1 - 3 of the Summit County Deed Records and for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration received of the VILLAGE OF RICHFIELD, 4410 West Streetsboro Road, P.O. Box 387, Richfield, Ohio 44286-0387, hereinafter together with its successors and assigns called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby give and grant unto Grantee a perpetual easement for the purposes hereinafter set forth ("Hike/Bike Trail Easement") through and over the following described premises:

**SEE ATTACHED EXHIBIT "A" ATTACHED HERETO**

The purposes of this Hike/Bike Trail Easement are to install a trail that will connect State Route 303 to the Richfield Woods Park. The Village will construct a paved trail/path on the property and provide appropriate landscaping. The location of the trail and landscaping and any subsequent modifications thereof shall be subject to the approval of the Grantor or their assigns. The Village shall provide year-round management of the premises and shall maintain the trail including, without limitation: picking up litter; maintaining landscaped areas, fences, and any other improvements to the premises in an aesthetically pleasing manner; maintaining a good and safe condition park trail; adhere to and enforce practices which encourage safe use by the public of the premises and any facilities thereon. Grantee shall not remove any trees without the Grantor's prior written approval.

For valuable consideration, Mark E. Parker and Suzanne J. Serdinak hereby each release their dower rights in the Hike/Bike Trail Easement described herein.

IN WITNESS WHEREOF, the Grantor Mark E. Parker and Suzanne J. Serdinak have hereunto set their hands and seals this 31 day of August, ~~2008~~ 2009.

Signed in the presence of:

Julianne Butcher  
Julianne Butcher

Mark E. Parker  
Mark E. Parker

Suzanne J. Serdinak  
Suzanne J. Serdinak

STATE OF OHIO            )  
  ) SS:  
COUNTY OF SUMMIT    )

BEFORE ME, a Notary Public in and for said County and State, personally appeared Mark E. Parker and Suzanne J. Serdinak, who acknowledged that they did sign the foregoing instrument and that the same was their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Richfield, Ohio this 31~~st~~ day of August, ~~2008~~ 2009

Jo Ann Maupin  
Notary Public

This instrument prepared by:

Charles T. Riehl, Esq.  
Walter & Haverfield LLP  
The Tower at Erieview  
1301 East Ninth Street, Suite 3500  
Cleveland, Ohio 44114-1821

Jo Ann Maupin  
Resident Summit County  
Notary Public, State of Ohio  
My Commission Expires: 10/16/10

**Mark Parker and Suzanne J. Serdinak  
20' Trail Easement  
Exhibit "A"**

Situated in the Village of Richfield, and being part of Original Richfield Township Lot 23, Tract 1, County of Summit, and State of Ohio, and bounded and described as follows:

Commencing at a 5/8" rebar found at the Grantor's northeast corner, and being the TRUE PLACE OF BEGINNING for the parcel of land herein described;

Thence S 00° 37' 11" E along the Grantor's east line, a distance of 664.26 feet to a point on the northerly existing right of way line of West Streetsboro Road (S.R. 303) and the Grantor's southeast corner;

Thence S 88° 53' 32" W, along the northerly existing right of way line of West Streetsboro Road (S.R. 303) and the Grantor's south line, a distance of 20.00 feet to a point on the proposed easement line;

Thence N 00° 37' 11" W along the proposed easement line, a distance of 664.23 feet to a point on the Grantor's north line;

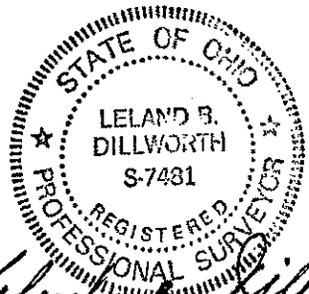
Thence N 88° 49' 01" E along the Grantor's north line, a distance of 20.00 feet to the TRUE PLACE OF BEGINNING and containing 0.305 acres, more or less, as surveyed by McCoy Associates, Inc., a Division of KCI Technologies under the direct supervision of Leland B. Dillworth, P.S. No. 7481.

The above described area is contained within the Summit County Auditor's Permanent Parcel Number 5002205.

The description was prepared in September 2008 by Paul K. Miller, P.S. No. 7587 and reviewed by Leland B. Dillworth, P.S. No. 7481 of McCoy Associates, Inc., a division of KCI Technologies.

The Grantors claim title by instrument recorded in Instrument No. 55243142 of the Summit County Deed Records.

The basis of bearings in this description: the bearings are relative to NAD 83 Ohio State Plane Grid Datum, North Zone, which was derived from the Summit County GIS Control Network. The distances shown are ground distances.



10-1-08

*Leland B. Dillworth*