

AN ORDINANCE ENACTING SECTION 921.08 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE CREATING SEWER DISTRICT NO. 5 AND DECLARING AN EMERGENCY

WHEREAS, this Council believes it is in the best interests of the Village of Richfield to create Sewer District No. 5; and

WHEREAS, the Village Engineer has devised and formed a general plan for sanitary sewerage and water supply in Sewer District No. 5; and

WHEREAS, the Clerk of Council has published notice pursuant to Revised Code Section 727.46.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Section 921.08 of the Streets, Utilities and Public Services Code be enacted to read as follows:

"921.08 SEWER DISTRICT NO. 5.

(a) Pursuant to Ohio Revised Code Section 727.44, a district is hereby established to be known as Sewer District No. 5. A legal description of Sewer District No. 5 is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

(b) Council hereby adopts and approves the general plans heretofore prepared by the Village Engineer, together with the amendments and corrections shown thereon, on file with the Clerk of Council, for the sewerage of Sewer District No. 5 as established by subsection (a) hereof.

(c) All sewer design and construction for Sewer District No. 5 will be such that the system will be adequate to service the whole system when the whole development is complete. The cost to correct any repairs due to improper design or construction will be the responsibility of the developer."

SECTION 2. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public health, safety and welfare and for the further reason that the plan is immediately necessary in order to commence construction of sewerage and water improvements in the District; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elect-

ed 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: June 21, 1994

Daniel S. Stoerbel  
President of Council

Ralph L. [Signature]  
Mayor

Dated: 6/24/94

ATTEST:

[Signature]  
Clerk of Council

**GLENCAIRN FOREST  
PARCEL NO. 1**

June 3, 1993

Situated in the Township of Richfield, County of Summit and State of Ohio and known as being part of Lots 3,4 and 5 of Tract 3, Fraction Tract 3, and part of Lots 14, 15 and 16 of Tract 6 and being more fully described as follows:

Beginning at an iron pipe found in the centerline of Revere Road (60 foot R/W) and Wheatley Road (variable R/W). Said pipe also being on the west line of said Lot 5 and the east line of said Lot 4;

THENCE North 85 degrees 56 minutes 05 seconds West along the centerline of said Wheatley Road, a distance of 1311.78 feet to a point;

THENCE North 04 degrees 03 minutes 55 seconds East, a distance of 30.00 feet to a point on the north right of way line of said Wheatley Road;

THENCE along a curve to the left following the north right of way of said Wheatley Road, having a radius of 316.39 feet, a central angle of 37 degrees 38 minutes 40 seconds, a tangent of 107.85 feet, a chord distance of 204.16 feet which bears South 75 degrees 14 minutes 35 seconds West, a distance of 207.88 feet to a point of reverse curve and an iron pin set;

THENCE along a curve to the right following the north right of way of said Wheatley Road, having a radius of 256.36 feet, a central angle of 53 degrees 02 minutes 39 seconds, a tangent of 127.94 feet, a chord distance of 228.95 feet which bears South 82 degrees 56 minutes 34 seconds West, a distance of 237.33 feet to a point of tangency and an iron pin set;

THENCE South 19 degrees 27 minutes 54 seconds West, a distance of 30.00 feet to a point on the centerline of said Wheatley Road;

THENCE North 70 degrees 32 minutes 06 seconds West along the centerline of said Wheatley Road, a distance of 80.68 feet to a point;

THENCE North 19 degrees 27 minutes 54 seconds East, a distance of 30.00 feet to an iron pin set on the north right of way line of said Wheatley Road;

THENCE along a curve to the left following the north right of way of said Wheatley Road, having a radius of 2318.91 feet, a central angle of 24 degrees 07 minutes 14 seconds, a tangent of 495.45 feet, a chord distance of 969.03 feet which bears North 82 degrees 35 minutes 43 seconds West, a distance of 976.22 feet to a point of tangency being on the south line of a perpetual easement granted to the State of Ohio as recorded in Deed Volume 4300, Page 279 of the Summit County Record of Deeds;

THENCE South 04 degrees 39 minutes 20 seconds East, a distance of 30.00 feet to a point on the old centerline of said Wheatley Road;

THENCE South 85 degrees 20 minutes 40 seconds West along the old centerline of said Wheatley Road, a distance of 234.30 feet to a point;

THENCE North 03 degrees 04 minutes 40 seconds East, a distance of 30.28 feet to a point on the south line of said perpetual easement granted to the State of Ohio;

THENCE North 85 degrees 20 minutes 40 seconds East along the south line of said perpetual easement, a distance of 440.25 feet to a point on the east line of said perpetual easement;

THENCE North 52 degrees 15 minutes 56 seconds West along the east line of said perpetual easement, a distance of 37.50 feet to an iron pin set;

THENCE North 88 degrees 53 minutes 58 seconds West along said perpetual easement, a distance of 308.97 feet to an iron pin set;

THENCE North 01 degrees 04 minutes 00 seconds East along said perpetual easement, a distance of 325.57 feet to an iron pin set;

THENCE South 85 degrees 20 minutes 40 seconds West along said perpetual easement, a distance of 65.73 feet to an iron pin set on the east limited access line of I-77;

THENCE along a curve to the left following the east limited access line of said I-77, having a radius of 339.00 feet, a central angle of 49 degrees 29 minutes 01 seconds, a tangent of 156.22 feet, a chord distance of 283.76 feet which bears North 26 degrees 13 minutes 24 seconds West, a distance of 292.78 feet to a point of tangency and an iron pin set;

THENCE North 50 degrees 57 minutes 55 seconds West continuing along said east limited access line of I-77, a distance of 386.54 feet to an iron pin set;

THENCE North 39 degrees 47 minutes 06 seconds West continuing along said east limited access line of I-77, a distance of 155.57 feet to an iron pin set;

THENCE North 08 degrees 19 minutes 01 seconds West continuing along said east limited access line of I-77, a distance of 107.06 feet to an iron pin set;

THENCE North 05 degrees 39 minutes 05 seconds East continuing along said east limited access line of I-77, a distance of 252.34 feet to an iron pin set;

THENCE North 00 degrees 15 minutes 45 seconds West continuing along said east limited access line of I-77, a distance of 243.00 feet to an iron pin set;

THENCE North 08 degrees 09 minutes 30 seconds West continuing along said east limited access line of I-77, a distance of 138.31 feet to an iron pin set;

THENCE North 08 degrees 16 minutes 59 seconds West continuing along said east limited access line of I-77, a distance of 222.17 feet to an iron pin set;

THENCE North 00 degrees 15 minutes 45 seconds West continuing along said east limited access line of I-77, a distance of 385.00 feet to an iron pin set on the south limited access line of I-271;

THENCE North 71 degrees 09 minutes 40 seconds East along said south limited access line of I-271, a distance of 666.68 feet to a 3/4 inch iron pin found;

THENCE North 45 degrees 35 minutes 26 seconds East continuing along said south limited access line of I-271, a distance of 213.17 feet to an iron pin set;

THENCE North 13 degrees 57 minutes 27 seconds East continuing along said south limited access line of I-271, a distance of 430.18 feet to an iron pin set;

THENCE North 79 degrees 14 minutes 50 seconds East continuing along said south limited access line of I-271, a distance of 225.34 feet to an iron pin set;

THENCE North 84 degrees 49 minutes 38 seconds East continuing along said south limited access line of I-271, a distance of 1326.68 feet to an iron pin set on the west line of said Lot 15 and the East line of said Lot 16;

THENCE South 71 degrees 24 minutes 17 seconds East continuing along said south limited access line of I-271, a distance of 148.67 feet to a 3/4 inch pinch top pipe found;

THENCE North 84 degrees 51 minutes 20 seconds East continuing along said south limited access line of I-271, a distance of 809.53 feet to a 3/4 inch pinch top pipe found;

THENCE North 77 degrees 29 minutes 36 seconds East continuing along said south limited access line of I-271, a distance of 526.53 feet to an iron pin set;

THENCE North 72 degrees 51 minutes 28 seconds East continuing along said south limited access line of I-271, a distance of 768.62 feet to a 3/4 inch pinch top pipe found;

THENCE North 80 degrees 19 minutes 45 seconds East continuing along said south limited access line of I-271, a distance of 340.78 feet to an iron pin set on the west line of said Lot 14 and the east line of said Lot 15;

THENCE North 03 degrees 54 minutes 57 seconds East continuing along said south limited access line of I-271 and the common line of said Lots 14 and 15, a distance of 57.99 feet to a 1 inch pinch top pipe found;

THENCE North 72 degrees 49 minutes 20 seconds East continuing along said south limited access line of I-271, a distance of 779.77 feet to a 1 inch pinch top pipe found;

THENCE South 83 degrees 13 minutes 40 seconds East continuing along said south limited access line of I-271, a distance of 150.38 feet to a 1 inch pinch top pipe found on the west line of lands owned by the United States of America as recorded in Deed Volume 6189, Page 627 of the Summit County Record of Deeds;

THENCE South 03 degrees 57 minutes 20 seconds West along said west line of lands owned by the United States of America, a distance of 743.36 feet to a 1 inch pipe found;

THENCE South 03 degrees 54 minutes 11 seconds West along the west line of lands owned by the United States of America as recorded in Deed Volume 6025, Page 695 of the Summit County Record of Deeds, a distance of 1697.04 feet to an iron pin set;

THENCE North 87 degrees 21 minutes 32 seconds West along said west line of lands owned by the United States of America, a distance of 877.80 feet to a 1-1/2 inch iron pipe found;

THENCE South 02 degrees 30 minutes 50 seconds West along said west line of lands owned by the United States of America, a distance of 425.70 feet to an iron pin set;

THENCE North 88 degrees 19 minutes 36 seconds West along said west line of lands of lands owned by the United States of America, a distance of 361.19 feet to a 1-1/2 inch iron pin found;

THENCE South 04 degrees 13 minutes 08 seconds West along said west line of lands owned by the United States of America, a distance of 1449.95 feet to a point on the centerline of said Wheatley Road;

THENCE North 63 degrees 16 minutes 00 seconds West along the centerline of said Wheatley Road, a distance of 5.75 feet to a point;

THENCE North 83 degrees 10 minutes 35 seconds West continuing along the centerline of said Wheatley Road, a distance of 803.04 feet to the point of beginning and containing 16,963,820 square feet or 389.4357 acres of land, more or less.

Said parcel of land is subject to all easements, restrictions and reservations of record.

This description is based on a survey made by Nicholas A. Spagnuolo, Registered Surveyor No. 5304, in April, 1992.

**GLENCAIRN FOREST  
PARCEL NO. 2**

June 3, 1993

Situated in the Village of Richfield, County of Summit and State of Ohio and known as being part of original Lot 4 of Tract 3 of Richfield Township and being more fully described as follows:

Beginning at an iron pipe found in the centerline of Revere Road (60 foot R/W) and Wheatley Road (variable R/W). Said pipe also being on the east line of said Lot 4;

THENCE North 85 degrees 56 minutes 05 seconds West along the centerline of said Wheatley Road, a distance of 1426.25 feet to a point;

THENCE South 50 degrees 30 minutes 55 seconds West, a distance of 196.28 feet to a point on the south right of way line of said Wheatley Road and the true place of beginning for the parcel herein described;

THENCE continuing South 50 degrees 30 minutes 55 seconds West, a distance of 47.66 feet to a point;

THENCE North 61 degrees 36 minutes 05 seconds West, a distance of 46.69 feet to a point on the south right of way line of Wheatley Road;

THENCE along a curve to the left following the south right of way line of said Wheatley Road, having a radius of 316.36 feet, a central angle of 14 degrees 12 minutes 44 seconds, a tangent of 39.44 feet, a chord distance of 78.27 feet which bears North 84 degrees 03 minutes 38 seconds East, a distance of 78.47 feet to the true place of beginning and containing 904 square feet or 0.0207 acres of land, more or less.

Said parcel of land is subject to all easements, restrictions and reservations of record.

This description is based on a survey made by Nicholas A. Spagnuolo, Registered Surveyor No. 5304, in April 1992.