

Resolution No. _____ Passed _____, 20____

RESOLUTION NO. 32 - 12

A RESOLUTION ACCEPTING TRANSFER OF TITLE FOR 17.765 ACRES FROM RAILS TO TRAILS OF WAYNE COUNTY OF THE RAIL CORRIDOR RUNNING FROM ORRVILLE TO MARSHALLVILLE.

WHEREAS Rails to Trails of Wayne County has been actively working to secure title to certain property located in Wayne and contiguous Ohio counties for purposes of the establishment of new trails for the benefit of the general public; and

WHEREAS The establishment of public trails in the community directly benefits the community by providing a safe, well developed trail to allow for recreational and environmental use; and

WHEREAS The establishment and development of public trails in and near Orrville, Ohio can provide economic and revitalization benefits to the Orrville community; and

WHEREAS The recently completed Orrville Comprehensive Plan has identified the establishment of local Rails to Trails trails as an important community objective; and

WHEREAS It is the policy and practice of national and local Rails to Trails organizations to transfer ownership of certain trail corridors to the local communities in which they reside to foster local ownership and grant opportunities and encourage local use of the trails; and

WHEREAS Rails to Trails of Wayne County has committed to using its fundraising efforts to provide for the costs of construction of the rail trail, including construction engineering, and will enter into a Memorandum of Understanding with the City of Orrville to partner in future maintenance and upkeep of the trail; and

WHEREAS The Orrville corridor for the Rails to Trails of Wayne County trail section of property is located between Orrville and Marshallville and contains approximately 17.765 acres, and is further described and shown in Exhibits A and B, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That The City of Orrville, Ohio accept transfer of title for 17.765 acres from Rails to Trails running from Orrville to Marshallville as described herein.

Section 2: That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

Resolved this 15th day of October 2012.

Attest:

James Sauls
Clerk of Council

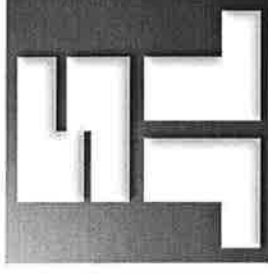
[Signature]
President of Council

Approved:

David J. Handman
Mayor

Date 10/15/12

**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



Boundary description of a 17.765 acre parcel

Job No. EW 2312B

Situated in the Township of Baughman, County of Wayne, State of Ohio and known as being a part of the Northeast, Northwest and Southwest Quarters of Section 8, the Northwest Quarter of Section 17 and the Northeast Quarter of Section 18, T-17N; R-11W, also known as being a part of lands conveyed to Rails to Trails of Wayne County Ohio in O.R. 645; Page 1120 of Wayne County Official Records and further bound and described as follows:

Commencing at a point at the northwest corner of the Northeast Quarter of Section 8 ~ witnessed by a 5/8" rebar found S 00° 52' 19" E, 30.00 feet; thence N 89° 19' 36" E, 1524.22 feet to a monument spike set at a northeasterly corner of lands conveyed to Cat Land Company, Ltd. in O.R. 501; Page 499 of Wayne County Official Records and the principal place of beginning of the parcel herein described:

THENCE WITH THE FOLLOWING TWENTY-TWO (22) COURSES:

- 1) continuing N 89° 19' 36" E, 72.24 feet to a monument spike set at a northwesterly corner of said Cat Land Company lands at a point of curvature;
- 2) southwesterly 878.60 feet along a westerly line of said Cat Land Company lands along the arc of a railroad curve deflecting to the right, a degree of curve of 01° 56' 06", a radius of 2961.22 feet, a central angle of 17° 00' 02" and a chord which bears S 31° 31' 32" W, 875.42 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set on a westerly line thereof;
- 3) S 37° 23' 21" W, 2464.07 feet along a westerly line of said Cat Land Company lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at a southwesterly corner thereof and on the quarter section line of Section 8;
- 4) N 89° 13' 30" E, 62.96 feet along the quarter section line to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at northwesterly corner of said lands conveyed to Robert Kim Kornhaus and Lyla Johnson Kornhaus in O.R. 129; Page 294 of Wayne County Official Records;
- 5) S 37° 23' 21" W, 663.84 feet along a westerly line of said Kornhaus lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at an angle point;

Continued on Page 2

3477 Commerce Parkway, Suite C ☐ Wooster, Ohio 44691
Ph. (330) 345-6377 ☐ Fax (330) 345-6725 ☐ Email: sjl@sjl-inc.com

EXHIBIT A

Page 2 (Description of 17.765 ac.)

- 6) **N 52° 36' 39" W, 32.50** feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at an angle point;
- 7) **S 37° 23' 21" W, 2782.32** feet along a westerly line of said Kornhaus lands to a point at a southwesterly corner thereof and in Back Massillon Road (C.R. 29);
- 8) **S 89° 24' 03" W, 21.57** feet in Back Massillon Road (C.R. 29) to a point at a northwesterly corner of lands conveyed to Marion D. and Norma L. Mast in O.R. 51; Page 589 of Wayne County Official Records;
- 9) **S 37° 23' 21" W, 828.95** feet, passing thru a section line at 304.58 feet, along a westerly line of said Mast lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at a point of railroad curvature;
- 10) southwesterly **1484.90** feet along a westerly line of said Mast lands and a westerly line of lands conveyed to Lawrence L. Davis in O.R. Volume 209; Page 73 and O.R. Volume 318; Page 225 of Wayne County Official Records along the arc a railroad curve deflecting to the left, a degree of curve of **01° 15' 09"**, a radius of **4574.60** feet, a central angle of **18° 35' 54"** and a chord which bears **S 29° 03' 29" W, 1478.41** feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set;
- 11) **S 22° 28' 07" W, 154.48** feet along a westerly line of said Mast lands to a point at the northeasterly corner of lands conveyed to Pennsylvania Lines, LLC in O.R. Volume 257; Page 681 of Wayne County Official Records;
- 12) **N 67° 21' 05" W, 93.67** feet along a northerly line of said Pennsylvania Lines lands to a point on the easterly line of lands conveyed to Elren Farms LLC in O.R. 618; Page 1166 of Wayne County Official Records;
- 13) **N 23° 27' 31" E, 154.49** feet along the easterly line of said Elren Farms lands and the easterly line of lands conveyed to William E. and Lakalynn L. Arnold in Volume 722; Page 508 of Wayne County Deed Records to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at a point of railroad curvature;
- 14) northeasterly **1502.47** feet the easterly line of said Arnold lands along the arc of a railroad curve deflecting to the right, a degree of curve of **00° 58' 52"**, a radius of **5840.08** feet, a central angle of **14° 44' 26"** and a chord which bears **N 30° 01' 08" E, 1498.35** feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set on the easterly line of said Arnold lands and the easterly line of lands conveyed to William E. and Lakalynn L. Arnold in O.R. 371; Page 810 of Wayne County Official Records;

Continued on Page 3

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Page 3 (Description of 17.765 ac.)

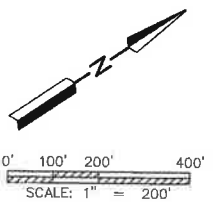
- 15) N 37° 23' 21" E, 777.41 feet, passing thru a section line at 609.28 feet, along the easterly line of said Arnold lands to a monument spike set on the section line and in Back Massillon Road (C.R. 29);
- 16) S 89° 24' 03" W, 21.57 feet along the section line and in Back Massillon Road (C.R. 29) to a monument spike set at a southeasterly corner of lands conveyed to Stoll Farms, Inc. in Volume 407; Page 294 of Wayne County Deed Records;
- 17) N 37° 23' 21" E, 2860.42 feet along an easterly line of said Stoll Farms lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at an angle point;
- 18) N 52° 36' 39" W, 32.50 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at an angle point;
- 19) N 37° 23' 21" E, 534.16 feet along an easterly line of said Stoll Farms lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set on the quarter section line of Section 8;
- 20) N 89° 13' 30" E, 62.96 feet along the quarter section line to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at a southeasterly corner of lands conveyed to Cat Land Company Ltd. in O.R. 501; Page 505 of Wayne County Official Records;
- 21) N 37° 23' 21" E, 2517.47 feet, passing thru a quarter section line at 762.01 feet, along an easterly line of said Cat Land Company lands and along the easterly line lands conveyed to Cat Land Company Ltd. in O.R. 501; Page 499 of Wayne County Official Records to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set at a point of railroad curvature;
- 22) northeasterly 831.49 feet along an easterly line of said Cat Land Company lands along the arc of a railroad curve deflecting to the left, a degree of curve of 01° 58' 45", a radius of 2895.22 feet, a central angle of 16° 27' 21" and a chord which bears N 31° 49' 40" E, 828.68 feet to the principal place of beginning and containing within said bounds 17.765 acres of land of which 4.018 acres are in the Northeast Quarter of Section 8, 1.051 acres are in the Northwest Quarter of Section 8, 8.746 acres are in the Southwest Quarter of Section 8, 0.358 acre is in the Northwest Quarter of Section 17 and 3.592 acres are in the Northeast Quarter of Section 18, more or less, and subject to all legal highways and easements of record.

Continued on Page 4

Page 4 (Description of 17.765 ac.)

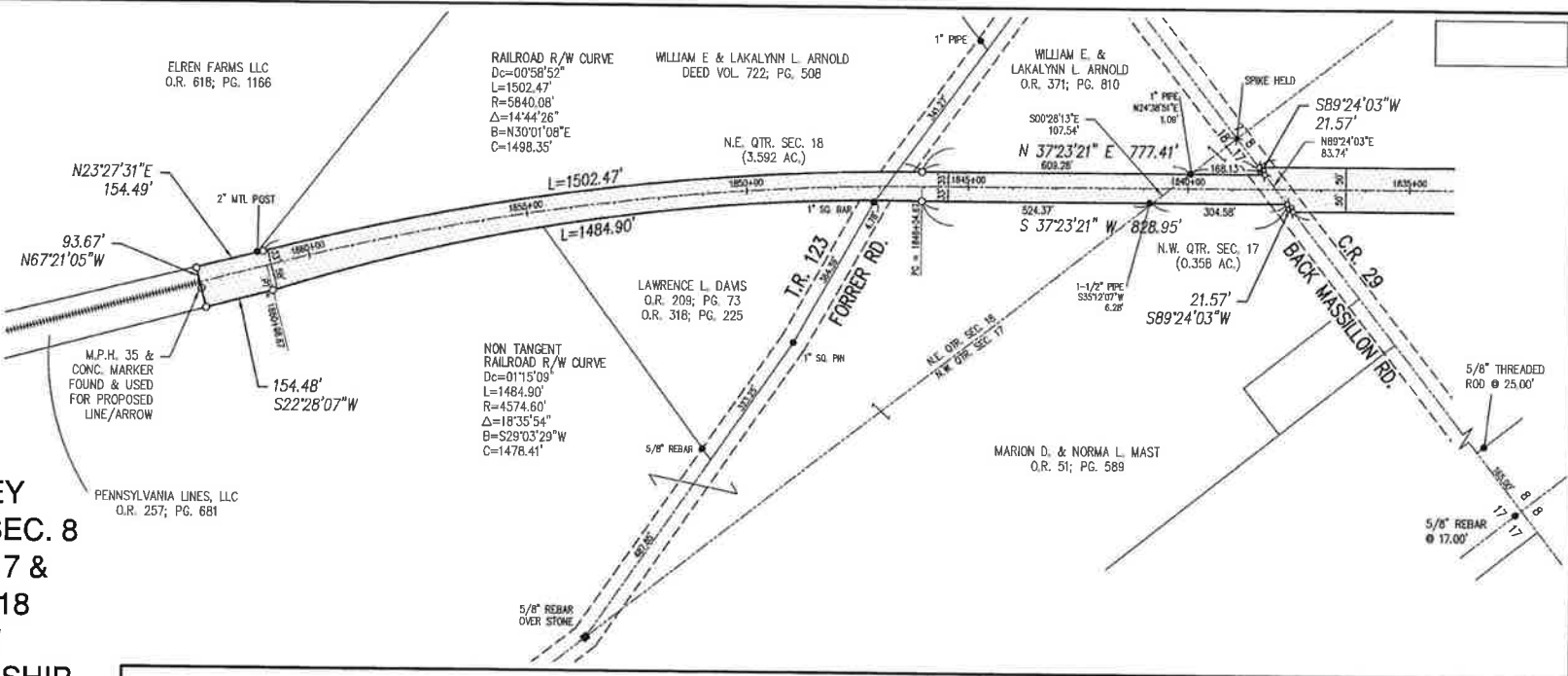
This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in September of 2012.
Basis of bearing: The bearings as shown hereon are relative to GRID NORTH of the OHIO STATE PLANE COORDINATE SYSTEM, NAD 83 DATUM.
See Wayne County Survey Records Volume ____; Page ____ for survey.

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MAP OF SURVEY
N.W. & S.W. QTR. SEC. 8
N.W. QTR. SEC. 17 &
N.E. QTR. SEC. 18
T-17N ; R-11W
BAUGHMAN TOWNSHIP
WAYNE COUNTY, OHIO

RAILS TO TRAILS OF WAYNE COUNTY
 O.R. 645; PG. 1120
SOUTH PARCEL TOTAL
 17,765 AC.
 773864.0 SF.

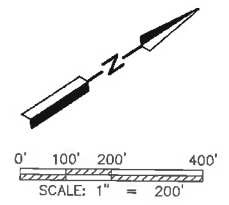


PENNSYLVANIA LINES, LLC
 O.R. 257; PG. 681

STOLL FARMS INC.
 DEED VOL. 407; PG. 294

CAT LAND CO. LTD
 O.R. 501; PG. 505

ROBERT KIM KORNGHAUS &
 LYLIA JOHNSON KORNGHAUS
 O.R. 129; PG. 289 & 292



REFERENCE SURVEY:
 'F'-110
 'W'-129
 'N'-496
 'EE'-43
 'EE'-416
 'JJ'-7
 'KK'-423
 'SS'-414
 'TT'-656
 BASIS OF BEARING:
 The bearings as shown hereon are relative to GRID NORTH of the OHIO STATE PLANE COORDINATE SYSTEM, NAD 83 DATUM

- STONE FOUND
- ✕ SPIKE FOUND
- CAPPED PIN FOUND WITH I.D. CAP
- MARKED S.U. INC (UNLESS NOTED)
- ▲ DRILL HOLE SET
- ✕ MONUMENT SPIKE SET
- 5/8" REBAR SET WITH I.D. CAP
- MARKED S.U. INC

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.



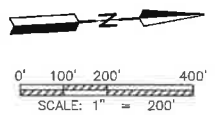
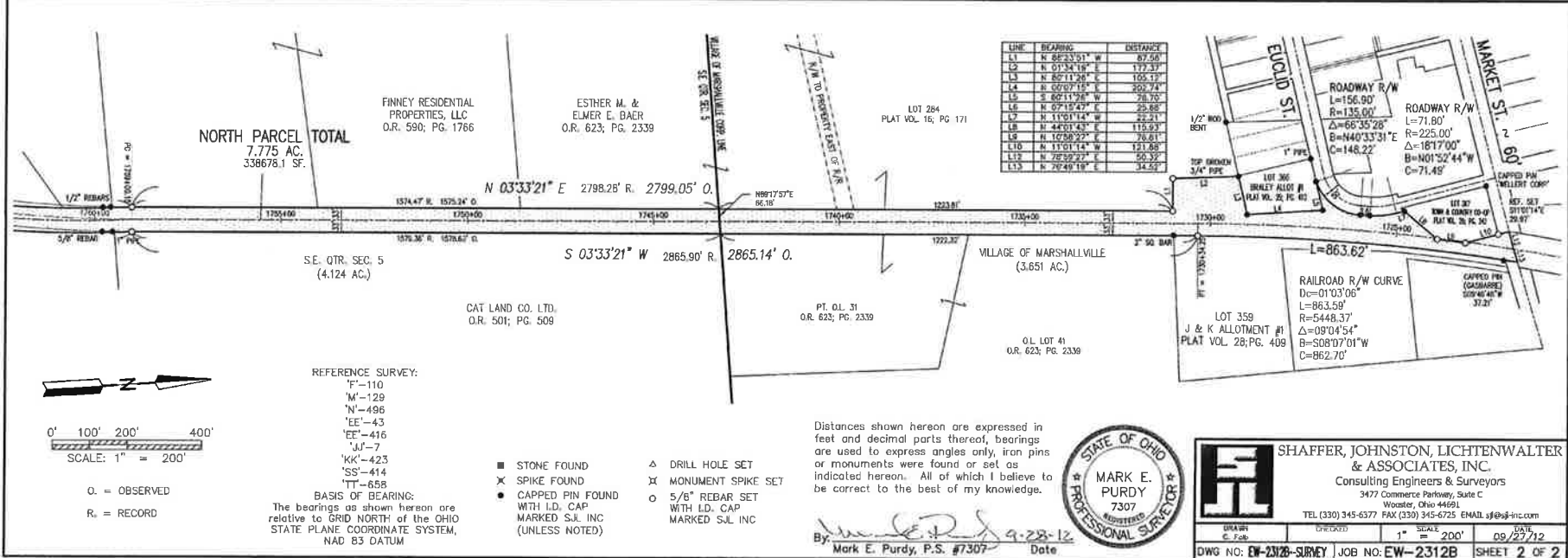
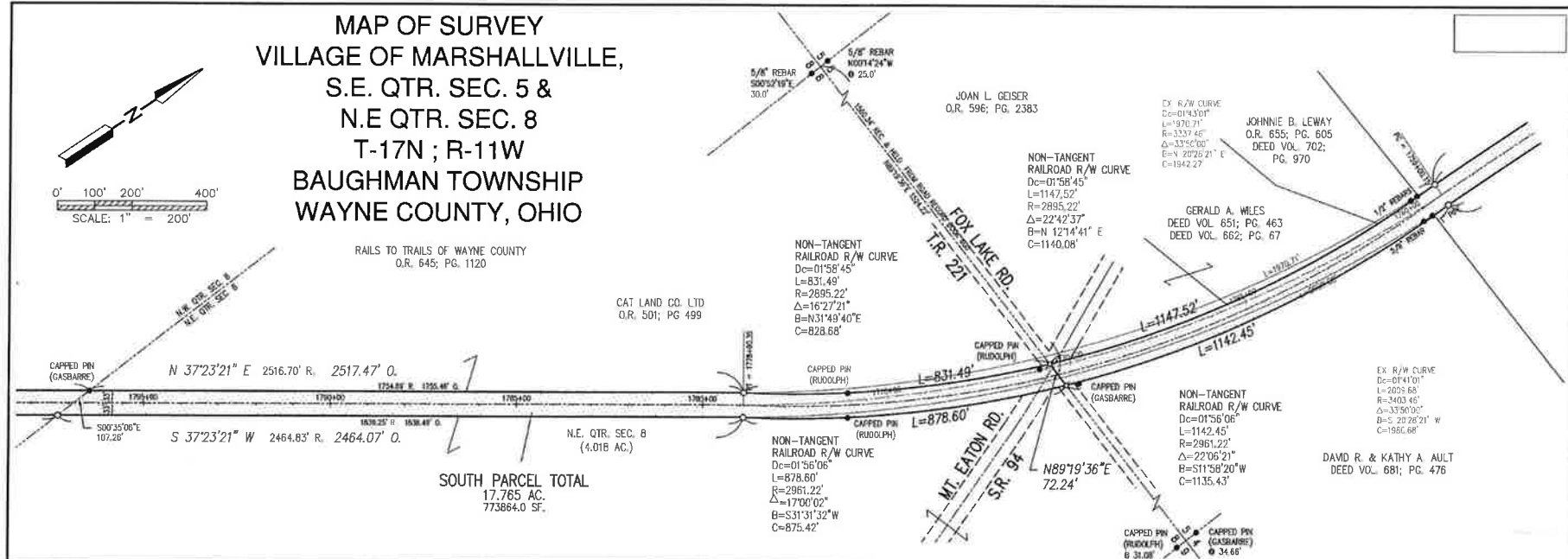
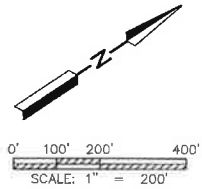
By: *Mark E. Purdy* 9-28-12
 Mark E. Purdy, P.S. #7307 Date

SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wooster, Ohio 44691
 TEL (330) 345-6377 FAX (330) 345-6725 EMAIL: sj@sj-inc.com

DESIGNED C. Felt	CHECKED 1" SCALE	DATE 09/27/12
DWG NO: EW-2312B-SURVEY JOB NO: EW-2312B SHEET 1 OF 2		

EXHIBIT B

MAP OF SURVEY
VILLAGE OF MARSHALLVILLE,
S.E. QTR. SEC. 5 &
N.E. QTR. SEC. 8
T-17N ; R-11W
BAUGHMAN TOWNSHIP
WAYNE COUNTY, OHIO



REFERENCE SURVEY:
 'F'-110
 'M'-129
 'N'-496
 'EE'-43
 'EE'-416
 'JJ'-7
 'KK'-423
 'SS'-414
 'TT'-658
 BASIS OF BEARING:
 The bearings as shown hereon are relative to GRID NORTH of the OHIO STATE PLANE COORDINATE SYSTEM, NAD 83 DATUM

■ STONE FOUND
 X SPIKE FOUND
 ● CAPPED PIN FOUND WITH I.D. CAP MARKED S.J.L. INC (UNLESS NOTED)

△ DRILL HOLE SET
 X MONUMENT SET
 ○ 5/8" REBAR SET WITH I.D. CAP MARKED S.J.L. INC

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.



By: *Mark E. Purdy* 9-28-12
 Mark E. Purdy, P.S. #7307 Date

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 Consulting Engineers & Surveyors
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 Wooster, Ohio 44691
 TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sj@sh-inc.com

DRAWN BY: C. F. S. CHECKED BY: J. L. S. SCALE: 1" = 200' DATE: 09/23/12
 DWG NO: EW-2312B-SURVEY JOB NO: EW-2312B SHEET 2 OF 2