

2017 Ohio Land Records Modernization Conference

Rights of Way

What is apparent may not always be as it seems



**COUNTY ENGINEERS
ASSOCIATION OF OHIO**

"ALL TRAVEL STARTS AND ENDS ON A LOCAL ROAD"

Franklin D. Snyder, Jr., P.S.



Sources that depict R/W widths:

- Road Dedications
- Subdivision Plats
- Right of Way Plans
- Deeds, Easements
- Surveys
- Date Created
- Tax Maps
- GIS Records

Representative Projects

- GEA-422-16.38 Bridge Deck Replacement
- TRU-45-18.13 Culvert Replacement
- POR-303-8.09 Bridge Replacement

Scope of Work = Level of Effort

- Defined Project Tasks
- Existing Right of Way
- Additional Right of Way Required
- Information Available
- Budget

GEA-422-16.38

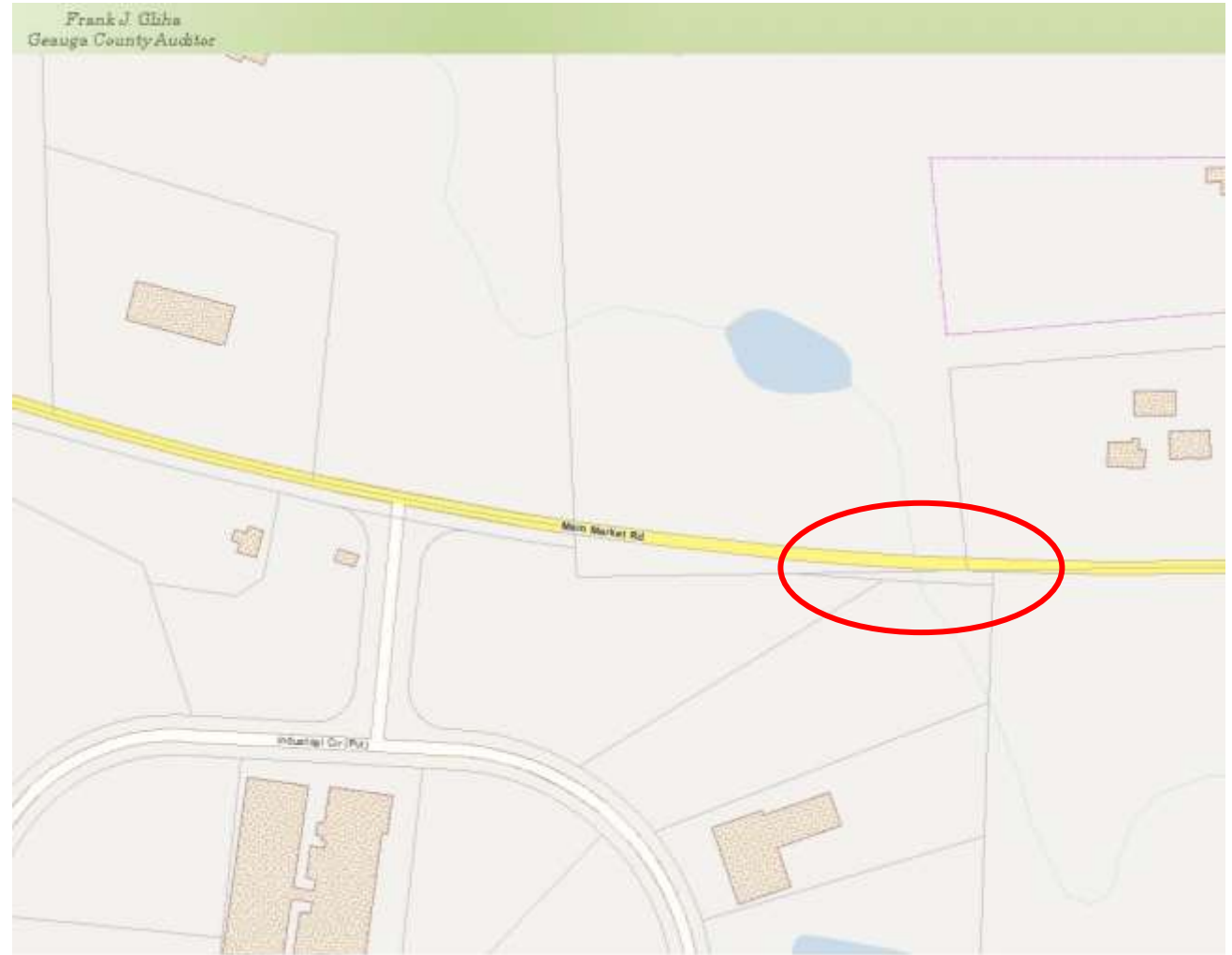
Straight forward, fairly simple project

- Field survey for the replacement of an existing bridge deck
- Task 2.3.A.B. Monumentation recovery
 - Input limits of R/W from centerline, right of way, and/or property pins with record documents
- Task 2.3.A.F. Establish property lines, tax id, & ownerships on base map (*if authorized*)
- Initial research - information available
 - GEA-422-18.98 plans from Geauga County (1930)
 - GEA-422-16.38 plans from ODOT (1959) (1938 S.H. 35 Sec. W plans)
 - GEA-422-16.38 plans from Geauga County (1960)

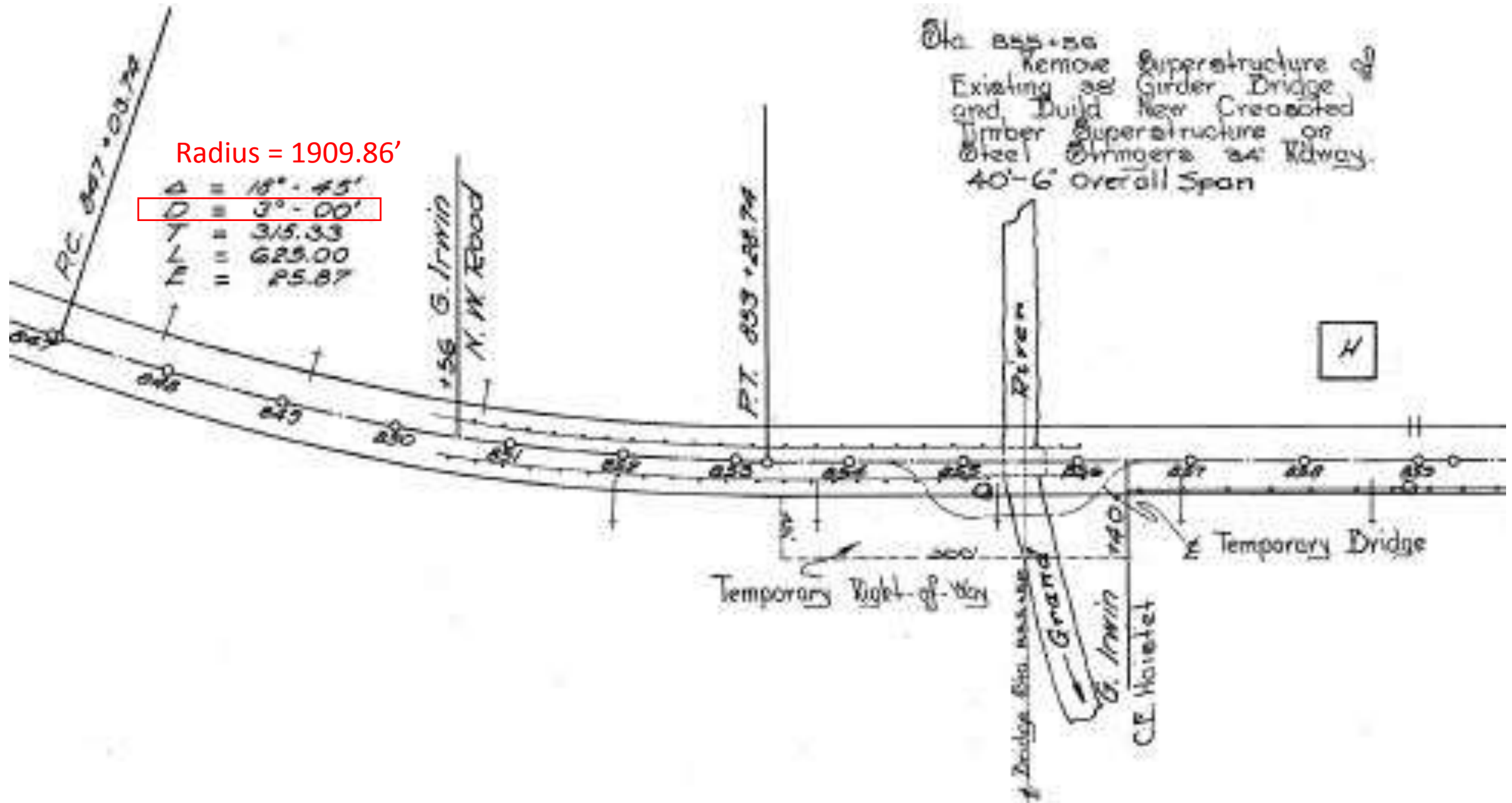
Existing bridge
carrying USR 422 over
the Grand River



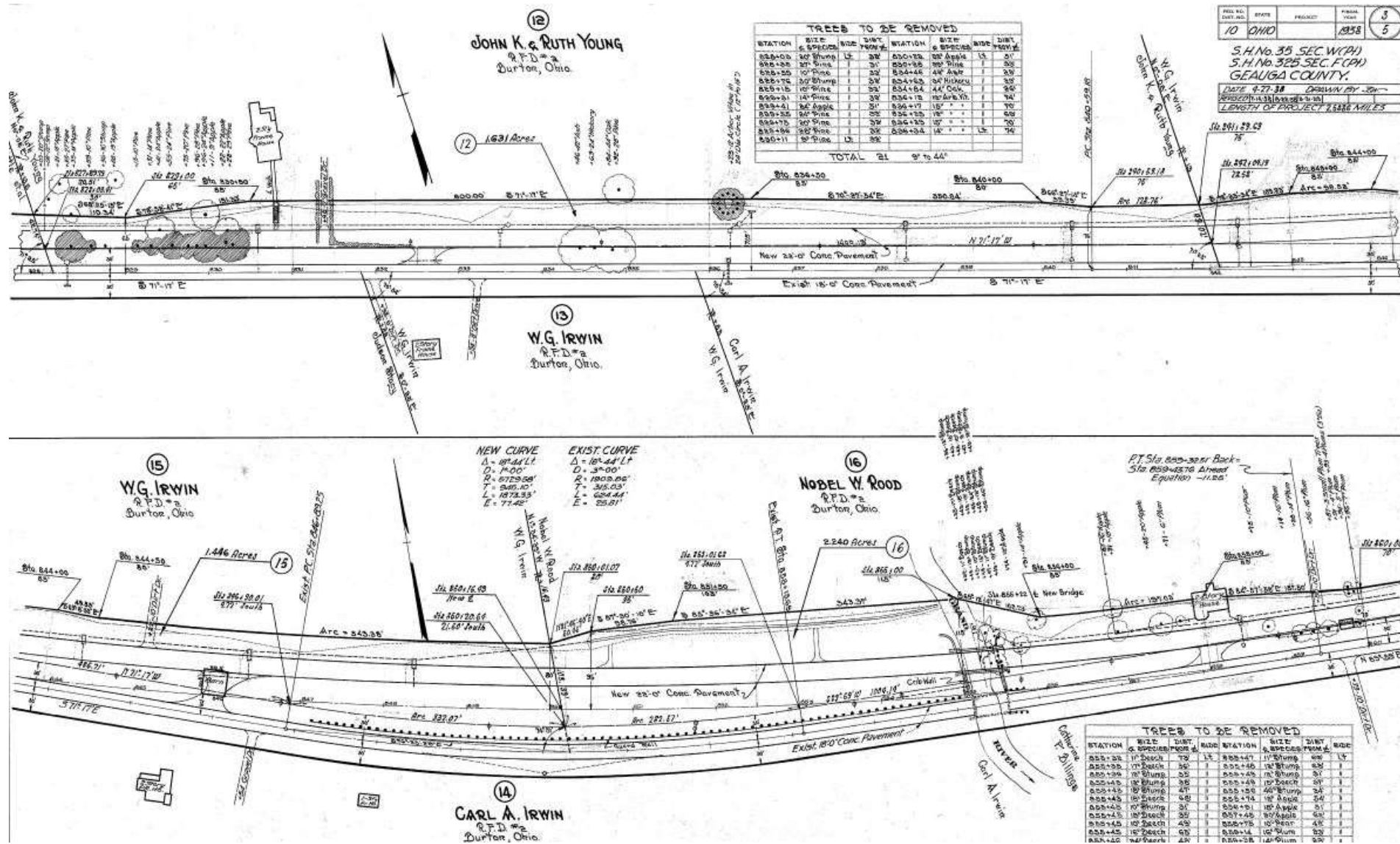
County GIS Mapping



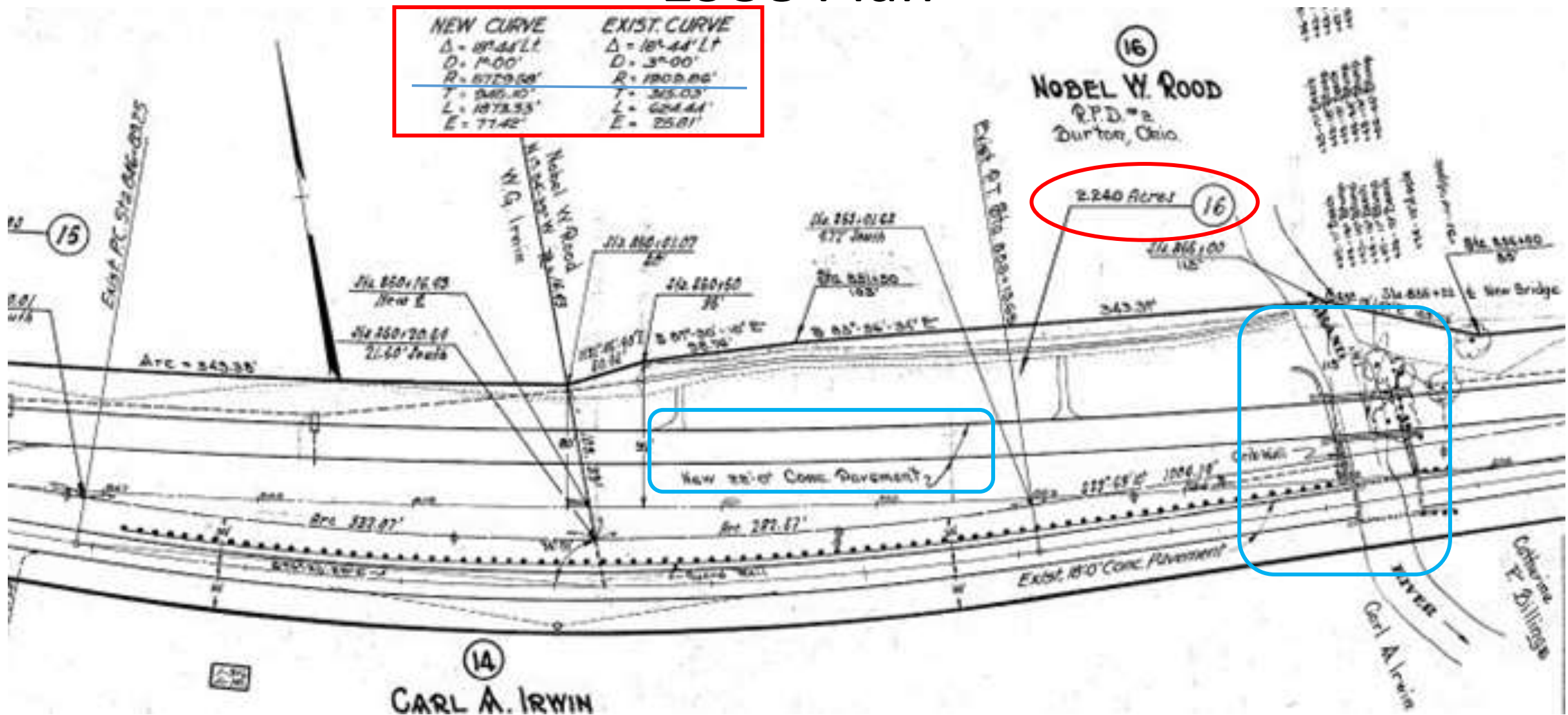
1930 Plan



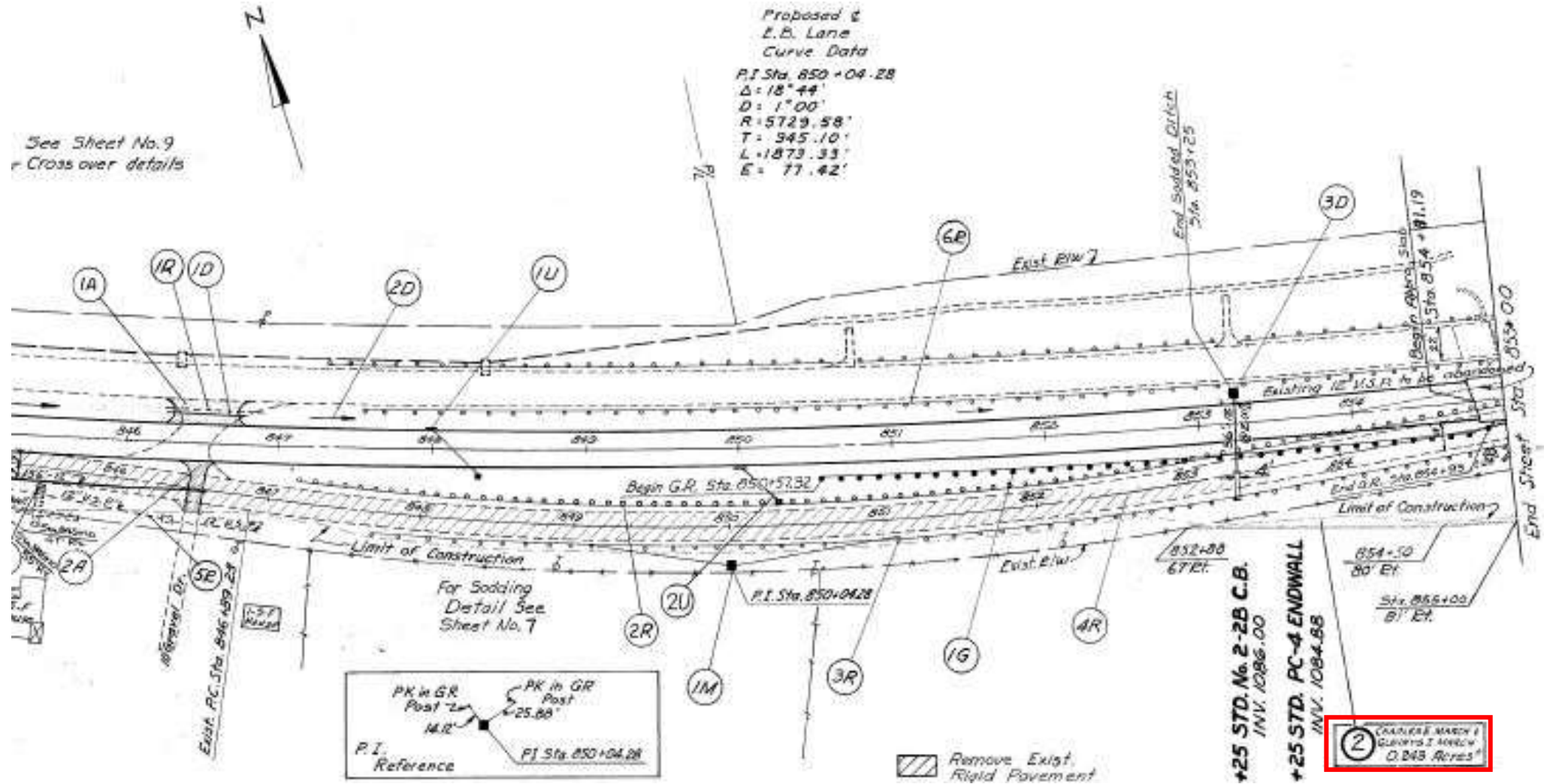
1938 Plan



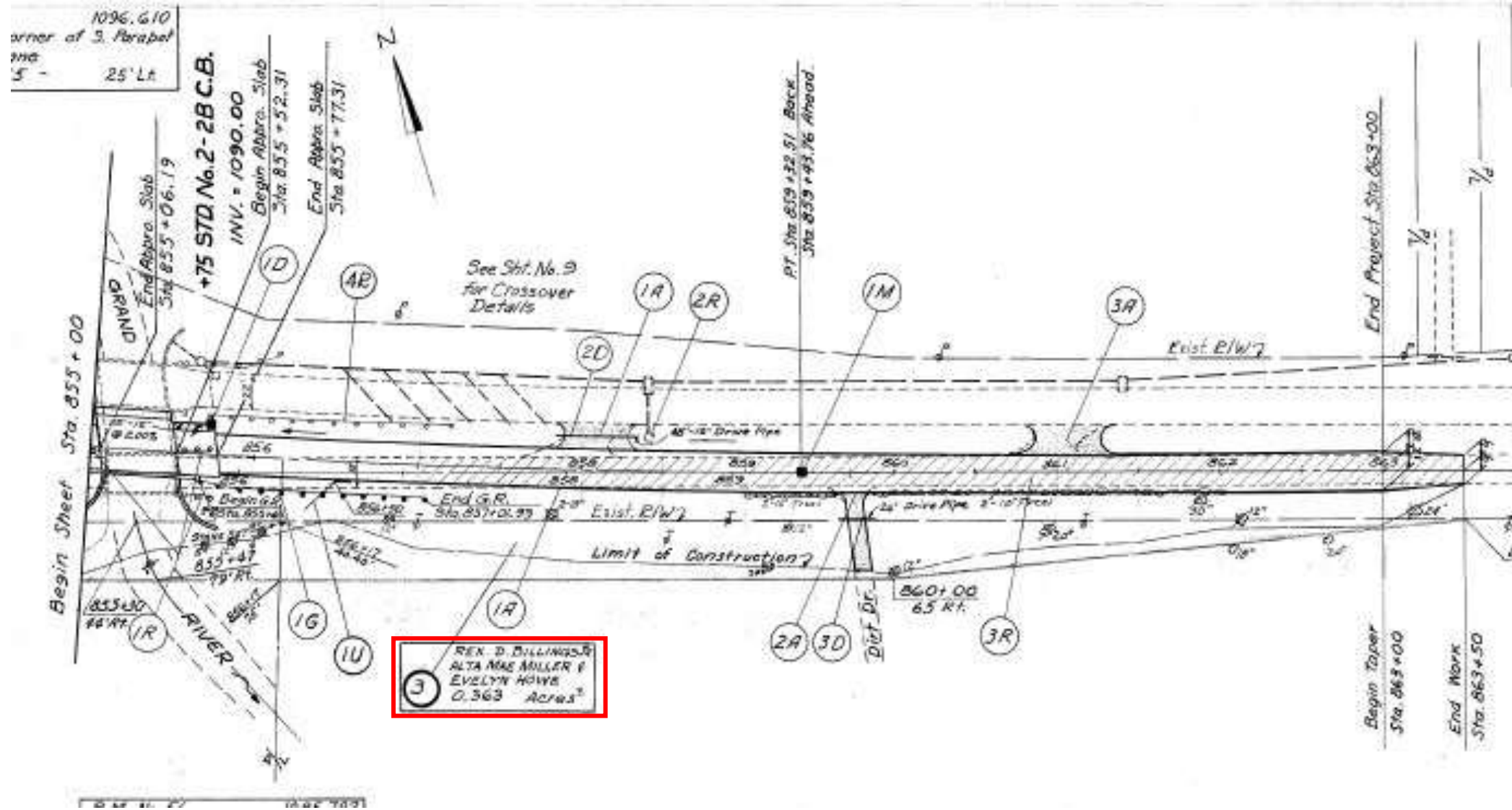
1938 Plan



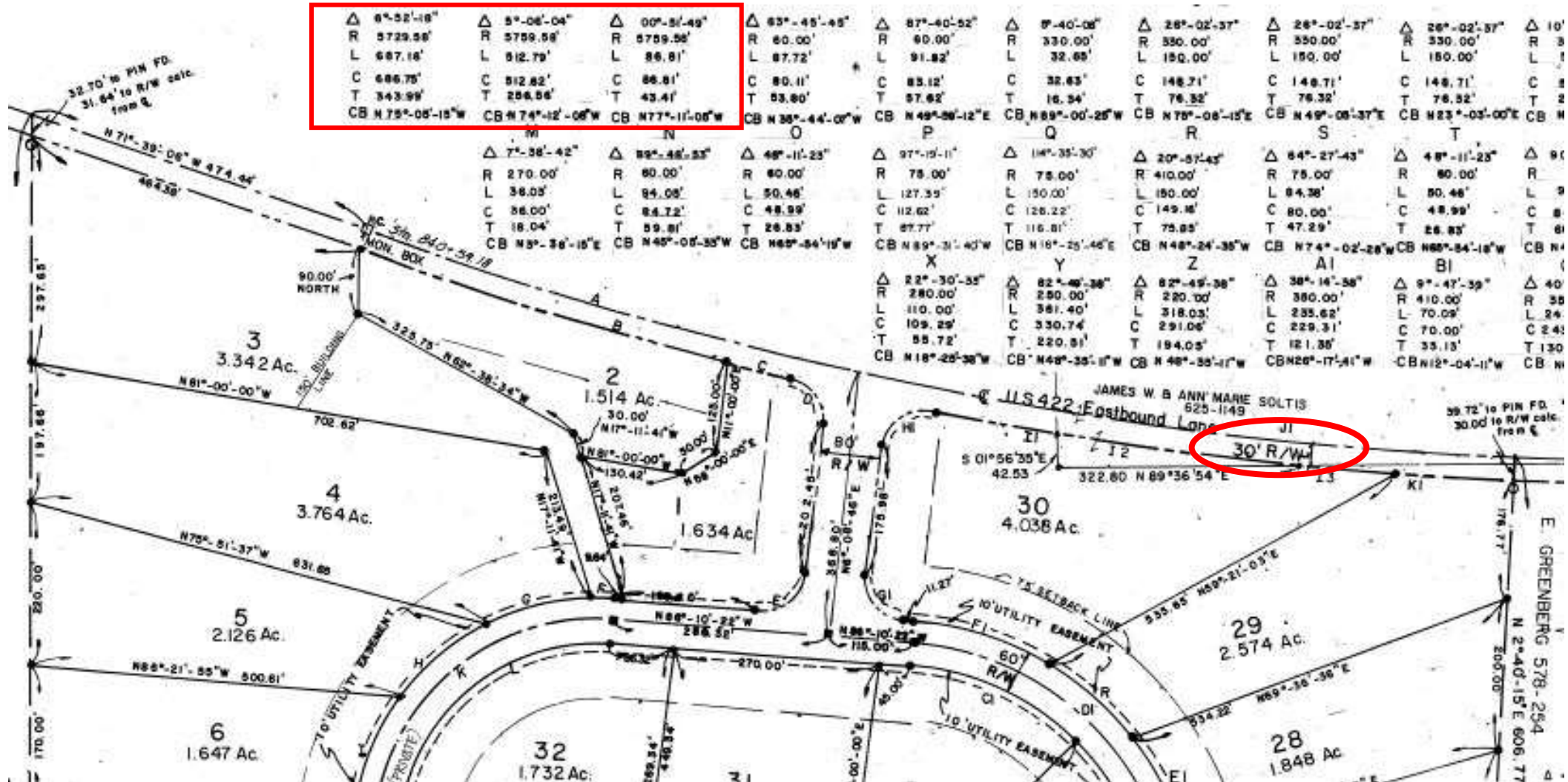
1960 Plan



1960 Plan



1980 Subdivision Plat



Centerline monuments



Not your typical pin cushion

Initial point found inside the box



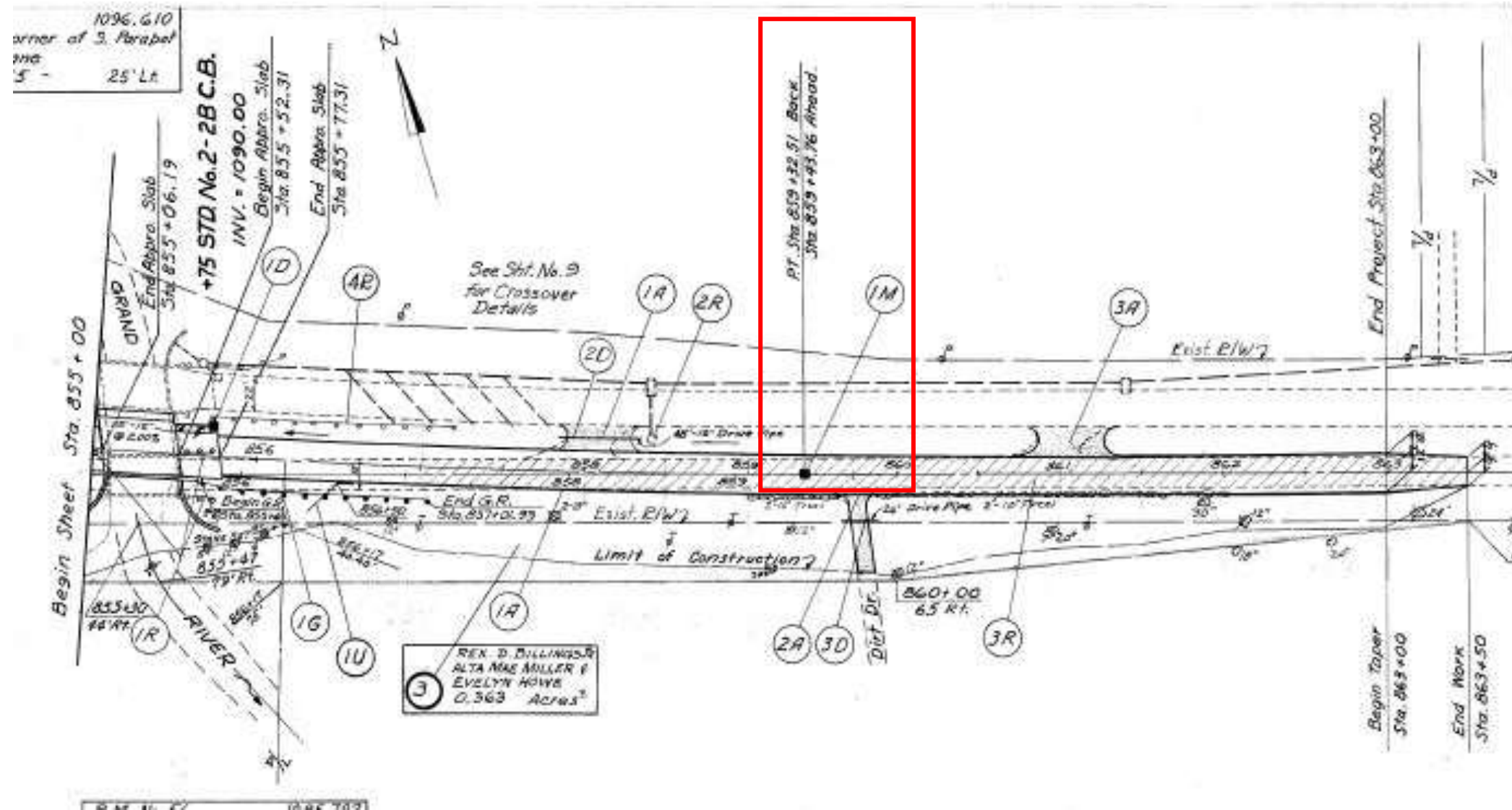
A little deeper inside the box



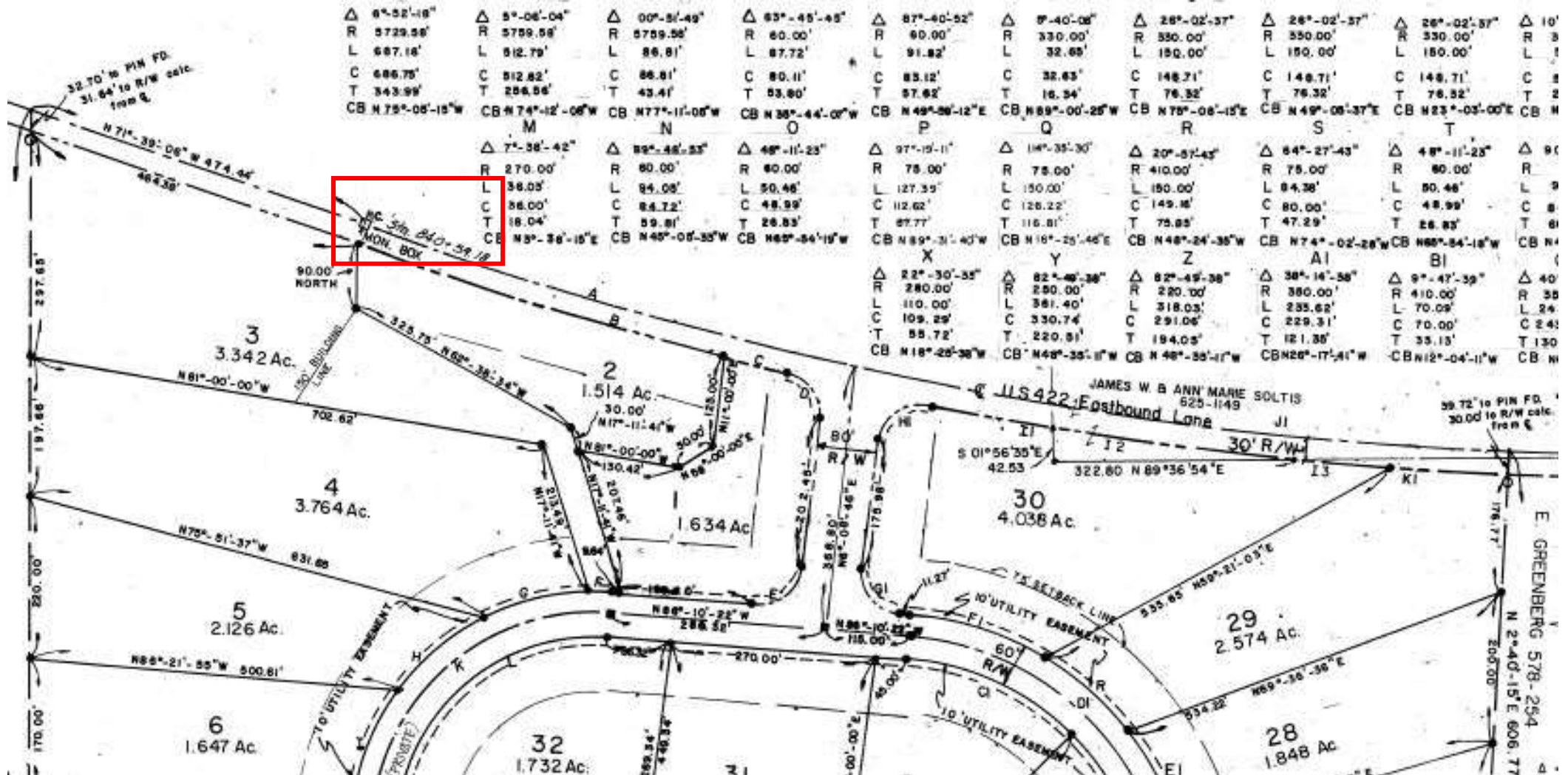
Pin Cushions



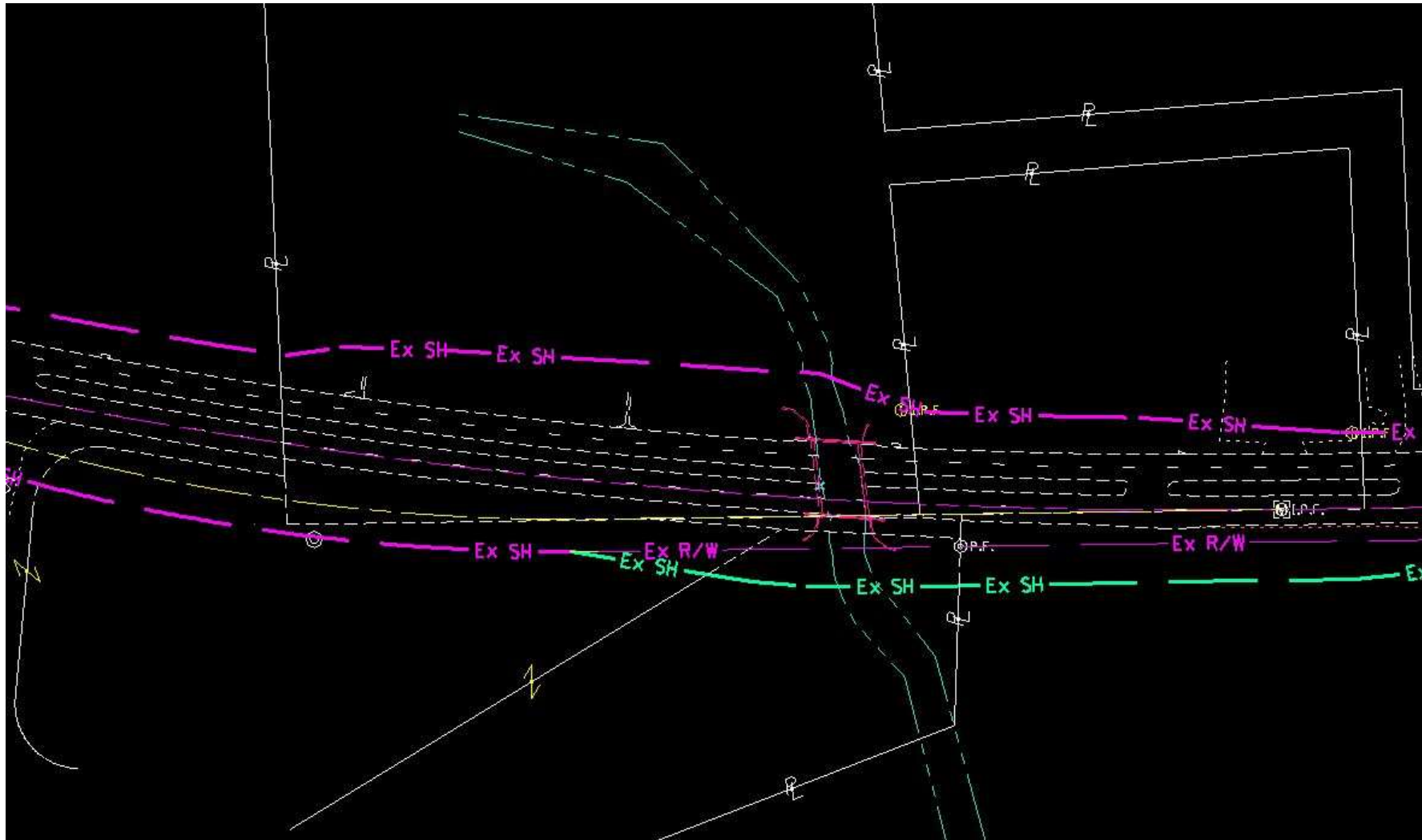
1960 Plan



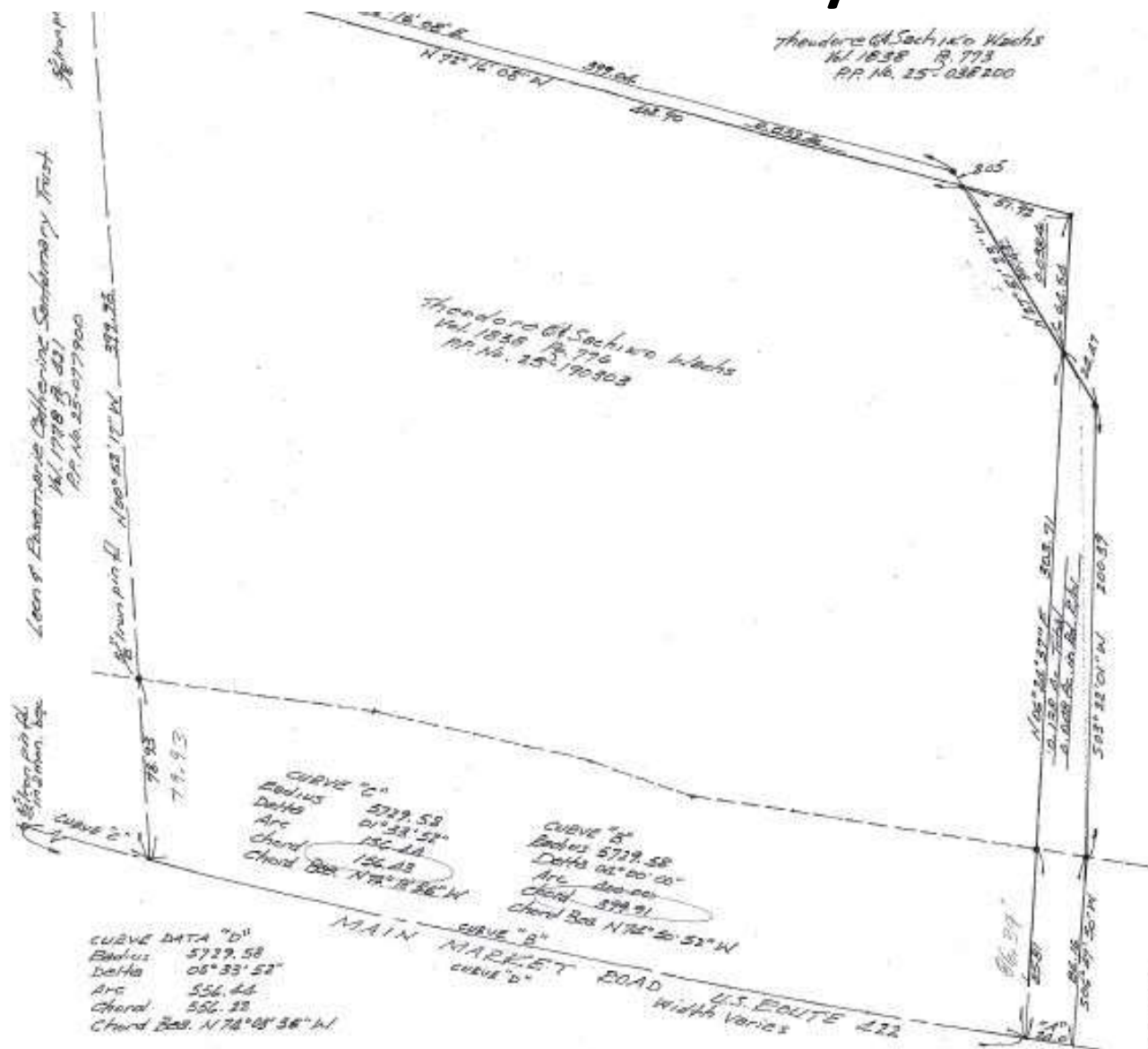
1980 Subdivision Plat



Was additional R/W acquired?



Survey on the north



I certify this survey is in accordance with the provisions of Chapter 2733-39 of the Ohio Administrative Code.

J. Arthur Temple P.S. No. 4761
June 2012



SURVEY PLAT & LEGAL DESCRIPTION
APPROVED PER R.C. 315.257

S.m / P.K. 10/2412
OFFICE OF THE REVISOR
GEARDA COUNTY ENGINEER



Note: Bearing shown hereon are based on an assumed meridian and are used only to indicate angles.

6 inch dia. x 20 inch long iron pins with orange caps were set at points marked • unless noted otherwise.

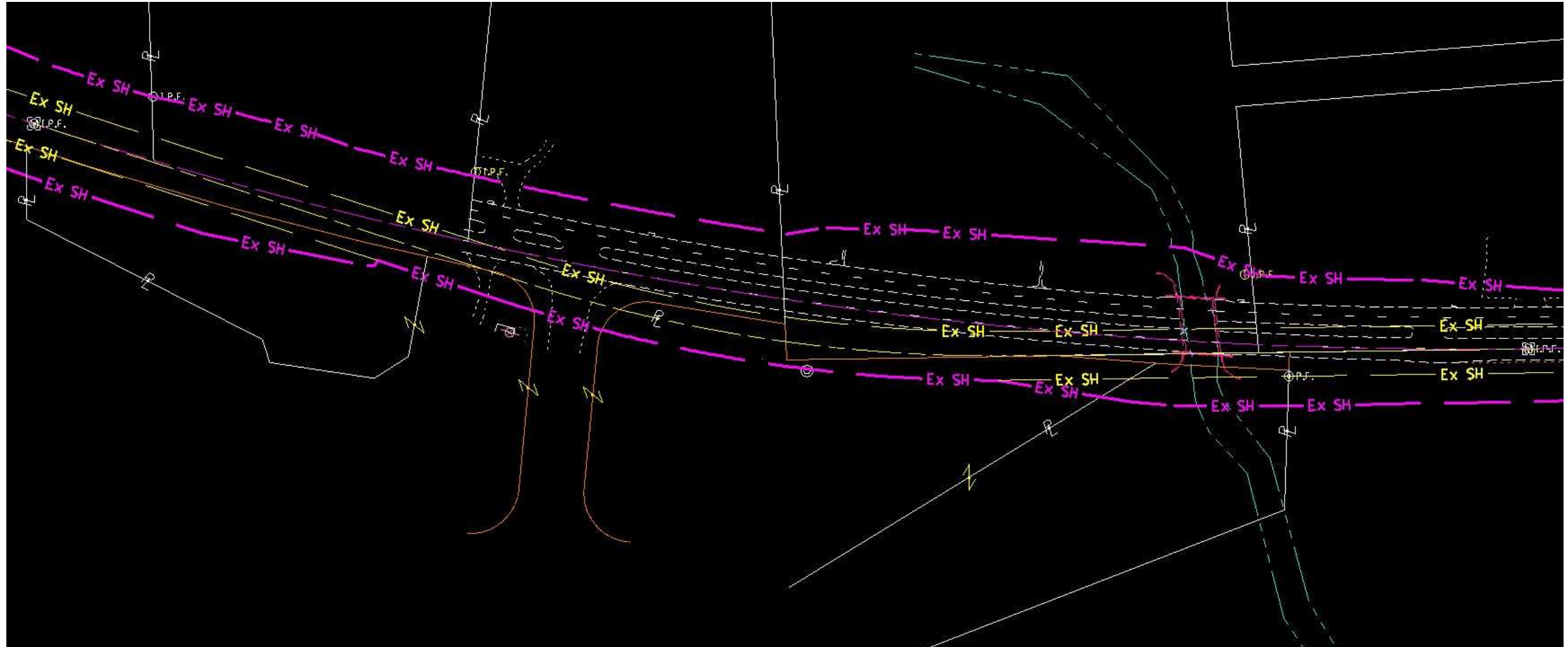
This survey is in accordance with
the applicable former Township
Zoning Resolutions

This _____ day of _____

Zoning Inspector

CURVE DATA "A"
Radius 59.29.58
Delta 00° 15' 22"
Arc 22.00
Chord 22.00
Chord Btg. N 76° 58' 02" W

1930 R/W, 1938 SH, 1960 SH, 1980 Plat



Parcel 16

Volume 203, page 414 (1938)

RECORDED
DEPUTY
75018
EASEMENT
STATE OF OHIO
NOBEL W. ROOD
TO
EASEMENT FOR HIGHWAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That Nobel W. Rood, the Grantor, for and in consideration of the sum of Forty Two Hundred Forty-six and no/100 Dollars (\$4246/00) and for other good and valuable considerations to him paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described, situated in Coddia County, Ohio, Parkman Township, Section 20, Town 6 North, Range 6 West, and bounded and described as follows:

PARCEL NO. 16

Beginning at a point which is in the existing North 30.00 foot right-of-way line of S. H. #35 Section W (part) and also in the property line between W. C. Irwin and Nobel W. Rood, said point being 21.50 feet right of and at right angles to Station 850+20.54 in the centerline of survey made by the Department of Highways; thence North 01 degree 34 minutes 29 seconds, West, along said property line a distance of 103.33 feet to a point, same being 80.00 feet left of and at right angles to Station 850+01.07 in the centerline of said survey; thence North 81 degrees 45 minutes 40 seconds, East 50.46 feet to a point, same being 95.00 feet left of and at right angles to Station 850+80 in the centerline of said survey; thence South 87 degrees 30 minutes 10 seconds, East, 98.78 feet to a point, same being 105.00 feet left of and at right angles to Station 851+50 in the centerline of said survey; thence South 85 degrees 36 minutes 34 seconds, East 343.37 feet to a point, same being 115.00 feet left of and at right angles to Station 855+00 in the centerline of said survey; thence South 69 degrees 12 minutes 47 seconds, East, 102.73 feet to a point, same being 85.00 feet left of and at right angles to Station 856+00 in the centerline of said survey; thence in an easterly direction with a curve to the left, same having a radius of 8644.66 feet, parallel to and 65.00 feet left of the centerline of said survey, a distance of 197.03 feet to a point, same being 85.00 feet left of and at right angles to Station 858+00 in the centerline of said survey; thence South 84 degrees 57 minutes 28 seconds, East, 107.80 feet to a point, same being 85.00 feet left of and at right angles to Station 858+00 in the centerline of said survey; thence South 85 degrees 59 minutes 00 seconds East parallel to and 70.00 feet left of the centerline of said survey, a distance of 400.00 feet to a point, same being 70.00 feet left of and at right angles to Station 853+00 in the centerline of said survey; thence North 87 degrees 07 minutes 13 seconds, East, 17.63 feet to a point in the property line between Nobel W. Rood and Otto P. and Eva M. Waters, said point being 70.88 feet left of and at right angles to Station 853+17.61 in the centerline of said survey; thence South 00 degrees 20 minutes 10 seconds, East, along said property line a distance of 40.00 feet to a point in the existing North 30.00 foot right-of-way line, said point being 30.00 feet left of and at right angles to Station 853+17.63 in the centerline of said survey; thence South 89 degrees 59 minutes 00 seconds, West, a distance of 104.14 feet to a point, same being 4.72 feet right of and

Parcels 1-SH, 2-SH, Volume 392, page 298 (1960)

VOL 392 PAGE 300

R. W. Form 5
Majors and Bounds
Revised 9-20-28-C

Sheet 3 of 4 sheets

Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That Charles E. March & Glenys I. March, husband and wife, who claim title through instrument recorded in Volume 281, Page 576, of Geauga County Records,

the Grantor,

for and in consideration of the sum of One Hundred and Twenty Dollars and no 100-----
Dollars (\$ 120.00-----) and for other good and valuable considerations to----- paid by the
State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described,
situated in Gauga County, Ohio, Parish Township,
Section 6 Town 6 Range 6
and bounded and described as follows:

PARCEL No. 2

Beginning at a point in the existing southerly right of way line of S.R. 422, 67 feet right of Station 852 + 00 in the centerline of S.R. 422; Thence Easterly along said right of way line to a point in the grantors easterly property line 40.40 feet right of Station 856 + 17 in said centerline; Thence southerly along the grantors Easterly property line to a point in the proposed southerly right of way line of S.R. 422, 75 feet right of Station 856 + 17 in said centerline; Thence Westerly along said proposed southerly right of way line to a point 81 feet right of Station 855 + 00 in said centerline; Thence continuing westerly to a point 80 feet right of Station 854 + 50 in said centerline; Thence continuing westerly along the proposed southerly right of way line of S.R. 422 to the place of beginning and containing 0.243 acres of land, be the same more or less, out subject to all legal highways.

Right of Way available for project



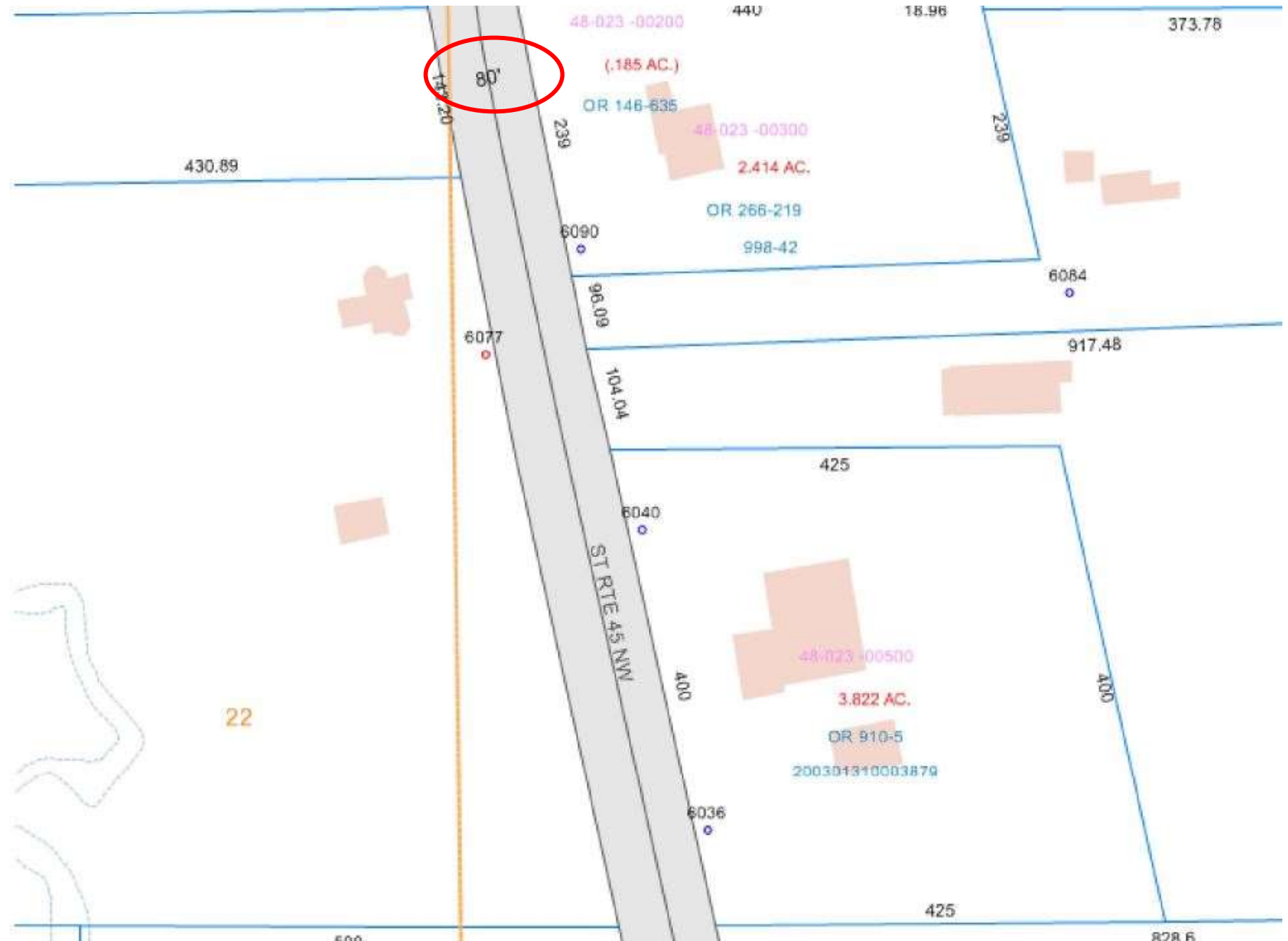
TRU-45-18.13

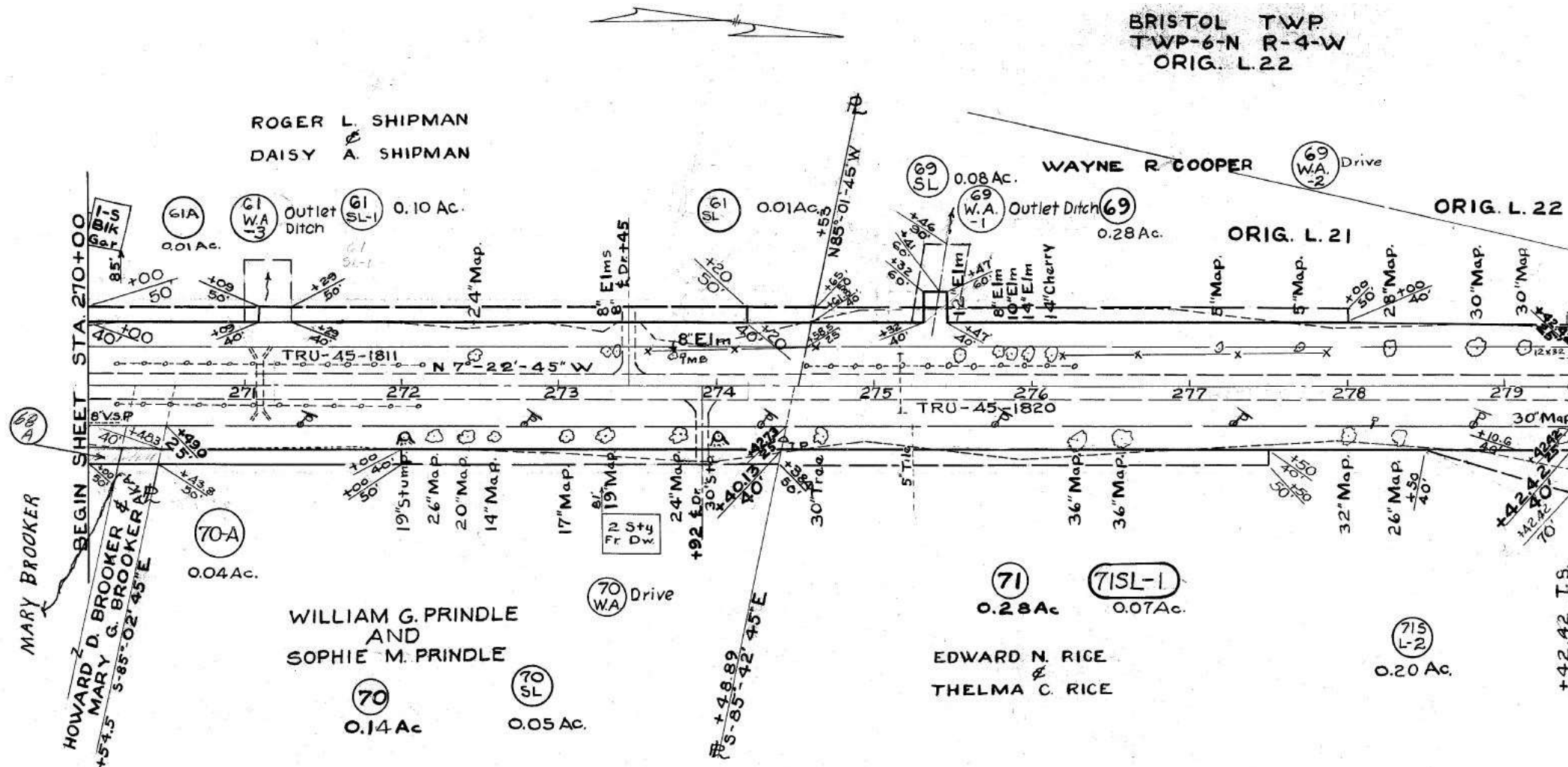
- Field survey for the replacement of a 15” conduit under SR 45
- Task 2.3.A.B. Monumentation recovery
- Task 2.3.A.F. Establish property lines, tax id, & ownerships on base map
 - Input limits of R/W from centerline, right of way, and/or property pins with record documents
- Initial research indicates decent information available
- Task 3.4 Right of Way Plans *(if authorized)*

Replace the pipe under the roadway



GIS depicts
the existing
R/W = 80'





Additional Right of Way acquired in 1957

Parcel 61, 25' to 40' off centerline

Vol. 691, page 44, rec. 8/12/1957

486036 VOL 691 PAGE 44
R/W Form A Sheet 2 of 4 sheets

Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That Roger L. Shipman and Daisy A. Shipman

the Grantor S.

for and in consideration of the sum of One thousand, one hundred & 70/100

Dollars (\$1000.00) and for other good and valuable considerations to them paid by the

State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described,

situated in Trumbull County, Ohio, Bristol Township,

Section Orig Lot 21, Town 6-N, Range 4-W

and bounded and described as follows:

PARCEL No. 61

Being a parcel of land lying on the left side of the centerline of a survey, made by the Department of Highways, and recorded in Book 22, Page 31, of the records of Trumbull County and being located within the following described points in the boundary thereof:

Beginning at a point 25 feet left of Sta. 268+31.69 in the centerline of survey above referred to, said point being in the existing westerly right of way line of State Route No. 45 at the point of intersection of said line with the southerly property line of these grantors; thence westerly with said line to a point 40 feet left of Sta. 268+35.1; thence northerly parallel with the centerline of survey to a point 40 feet left of Station 274+61.8, said point being in the northerly property line of these grantors; thence easterly with said line to a point 25 feet left of Sta. 274+58.5, said point being in the aforementioned right of way line; thence southerly with said right of way line to the point of beginning.

Parcel 61-SL, 40' to 50' off centerline

Vol. 691, page 45, sig. 4/30/1957

R/W Form A-Slope VOL 691 PAGE 45
Sheet 3 of 4 sheets

Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That Roger L. Shipman and Daisy A. Shipman

the Grantor S.

for and in consideration of the sum of One & 70/100

Dollars (\$1.00) and for other good and valuable considerations to them

paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns, an easement

for the construction and maintenance of slopes in, upon and over the lands hereinafter described,

until such time as the owner S desire to remove said slopes or build thereon, provided, however, in

the removal of said slopes the proper preservation of the highway be not impaired, to-wit: situated in

Trumbull County, Ohio, Bristol

Township, Section Orig Lot 21, Town 6-N, Range,

4-W, and bounded and described as follows:

PARCEL No. 61-SL

Being a parcel of land lying on the left side of the centerline of a survey, made by the Department of Highways, and recorded in Book 22, Page 31, of the records of Trumbull County and being located within the following described points in the boundary thereof:

Beginning at a point 40 feet left of Sta. 274+20 in the centerline of survey above referred to, said point being in the westerly line of an easement heretofore granted to the State of Ohio for highway purposes by these grantors; thence westerly to a point 50 feet left of Sta. 274+20; thence northerly parallel with the centerline of survey to a point 50 feet left of Sta. 274+65, said point being in the northerly property line of these grantors; thence easterly with said line to a point 40 feet left of Sta. 274+61.8, said point being in the aforementioned easement line; thence southerly with said easement line to the point of beginning.

Additional Right of Way - 1958

Parcel 61-A, 40' to 50' off centerline

Vol. 707, page 570 (569), rec. 4/19/1958

VOL 707 PAGE 570

R/W Form A

497742

Sheet.....of.....4.....sheets

Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That Roger L. Shipman and Daisy A. Shipman, husband and wife

....., the Grantor.

for and in consideration of the sum of Sixty and no/100
Dollars (\$ 60.00) and for other good and valuable considerations to them paid by the

State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described, situated in Trumbull County, Ohio, Bristol Township, Section 22 Original Lot No. 22, Town 6-N, Range 4-W, and bounded and described as follows:

PARCEL No. 61-A

Being a parcel of land lying on the left side of the centerline of a survey, made by the Department of Highways, and recorded in Book 22, Page 31, of the records of Trumbull County and being located within the following described points in the boundary thereof:

Beginning at a point 40 feet left of Sta. 271+09 in the centerline of survey above referred to, said point being in the westerly line of an easement heretofore granted the State of Ohio for highway purposes by these grantors; thence westerly to a point 50 feet left of Sta. 271+09; thence northerly parallel with the centerline of survey to a point 50 feet left of Sta. 271+29; thence southerly to a point 40 feet left of Sta. 271+29, said point being in the hereinbefore mentioned westerly easement line; thence southerly with said line to the point of beginning.

Parcel 61-SL1, 40' to 50' off centerline

Vol. 707, page 571, sig. 2/19/1958

R/W Form A-Slope

VOL 707 PAGE 571

Sheet.....of.....4.....sheets

Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That Roger L. Shipman and Daisy A. Shipman, husband and wife

....., the Grantor.

for and in consideration of the sum of One and no/100
Dollars (\$ 1.00) and for other good and valuable considerations to them paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns, an easement for the construction and maintenance of slopes in, upon and over the lands hereinafter described, until such time as the owner desire to remove said slopes or build thereon, provided, however, in the removal of said slopes the proper preservation of the highway be not impaired, to-wit: situated in

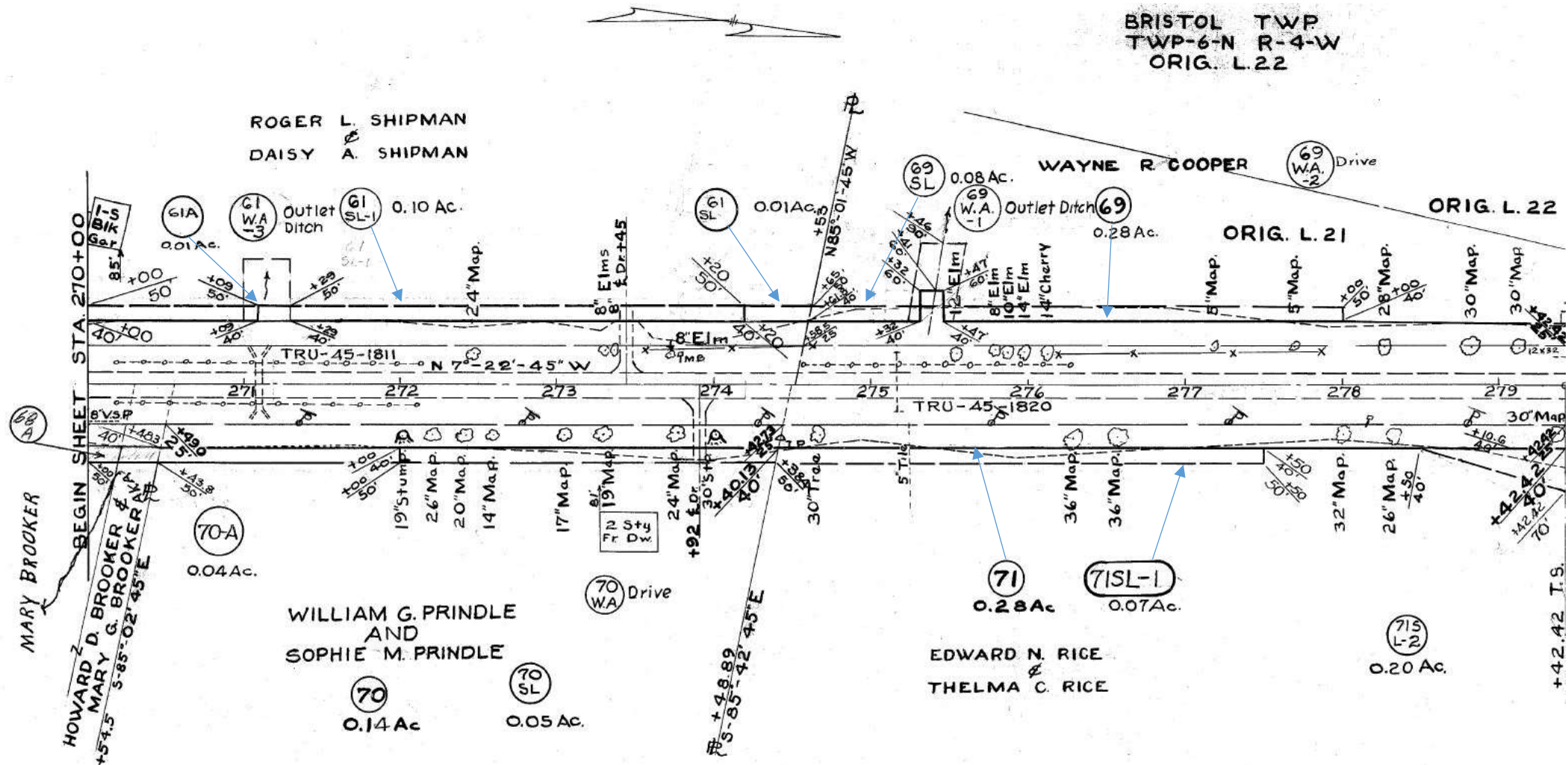
Trumbull County, Ohio, Bristol Township, Section Orig. Lot 22, Town 6-N, Range 4-W, and bounded and described as follows:

PARCEL No. 61-SL1

Being a parcel of land lying on the left side of the centerline of a survey, made by the Department of Highways, and recorded in Book 22, Page 31, of the records of Trumbull County and being located within the following described points in the boundary thereof:

Beginning at a point 40 feet left of Sta. 270+00 in the centerline of survey above referred to, said point being in the westerly line of an easement heretofore granted to the State of Ohio for highway purposes by these grantors; thence westerly to a point 50 feet left of Sta. 270+00; thence northerly parallel with the centerline of survey to a point 50 feet left of Sta. 274+20; thence easterly to a point 40 feet left of Sta. 274+20, said point being in the aforementioned easement line; thence southerly with said easement line to the point of beginning.

Proposed Plans include SH & SL Easements



Existing deed cites 80'R/W
and excludes the area
within the Right of Way

July 26, 2007 [REVISED AUGUST 7, 2007]

DESCRIPTION: LKN MAP NO. BR-266, Parcel "A"

Instr: 280708170022240 08/17/2007
P: 7 of 8 F: \$76.00 10:49AM
Diana Marchese T28070818746
Trumbull County Recorder BX(68) SOU

Situated in the Township of Bristol, County of Trumbull, State of Ohio, and known as being parts of Sections 21 and 22 in the original survey of said Township, and is further bounded and described as follows:

Beginning at a "mag" nail set over an O.D.O.T. centerline monument assembly [previously found] at an angle in the original centerline of the Warren-Painesville Road, State Route 45, 80-foot right-of-way, at the corner common to Sections 21, 22, 27, and 28;

Thence S. 07°-22'-45" E., along the original centerline of the Warren-Painesville Road, 870.30 feet to a point at the northeast corner of lands conveyed to Roger C. Shipman, as recorded in Official Record 115 at page 787 of the Trumbull County Records of Deeds, which is the True Place of Beginning of the herein described parcel of land, said point also being S. 85°-15'-07" E., 40.91 feet from an iron pin set in the west line of the road;

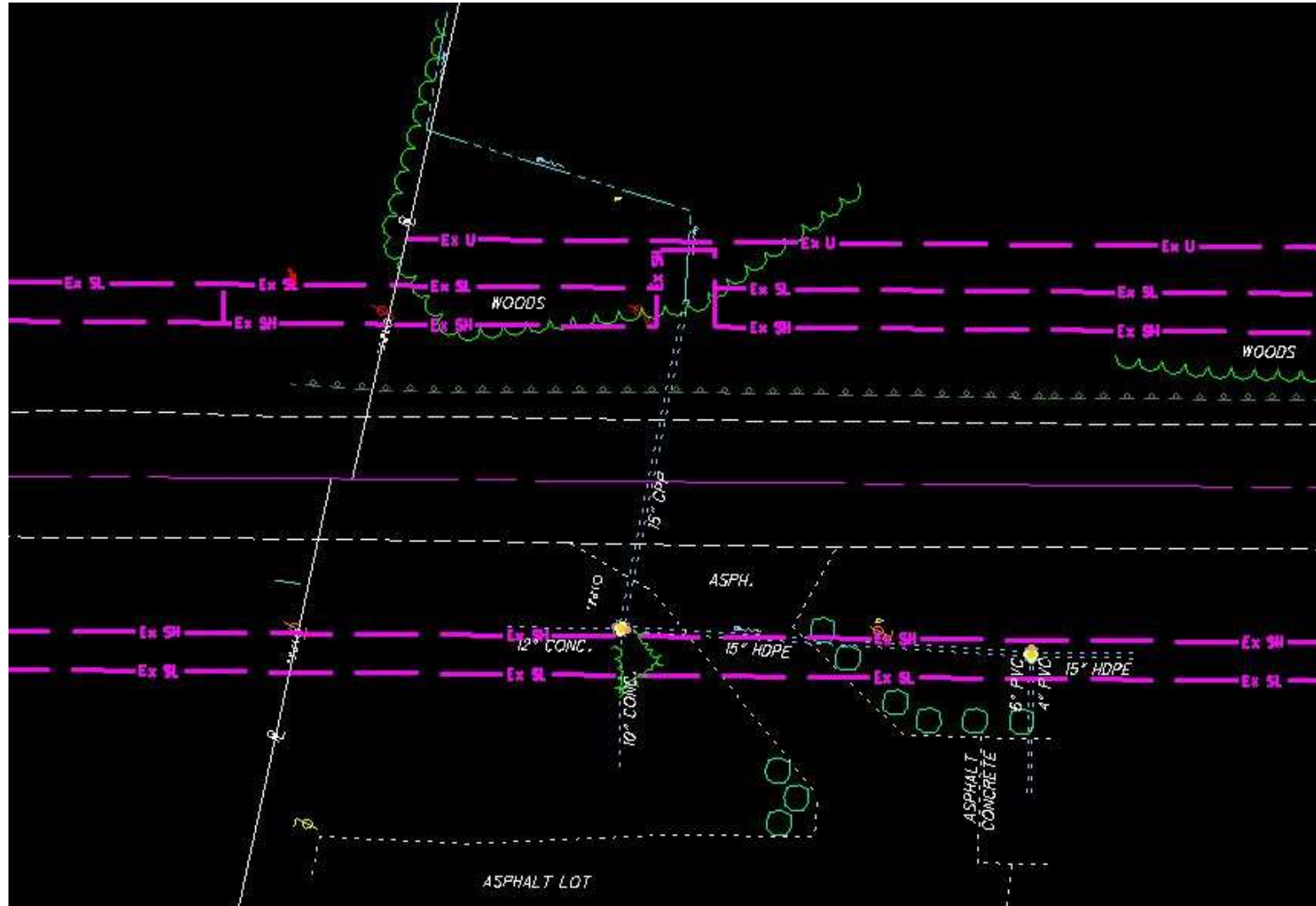
Thence S. 85°-15'-07" E., along a new line, 430.09 feet to a point in the original centerline of the Warren-Painesville Road, said point also being S. 85°-15'-07" E., 35.75 feet from an iron in set in or near the west line of the road;

Thence S. 07°-22'-45" E., along the original centerline of the Warren-Painesville Road 645.28 feet to a point at the northeast corner of Roger C. Shipman's land, aforesaid, and the True Place of Beginning;

Containing within said bounds 26.745 acres of land, of which approximately 0.590 acre of land is contained within the right-of-way of the road, as surveyed and described July 2007 by Carroll L. Hermann, P.S., Ohio #5663, of Lynn, Kittinger & Noble, Inc., Professional Surveyors, Warren, Ohio, but subject to all legal highways.

And known as being a part of that land conveyed by the Estate of Anne C. Cooper, deceased, to Jared B. Cooper, et al by Affidavit for Transfer of Property, as recorded in Instrument No. 200508190025045 of the Trumbull County Records of Deeds.

Existing R/W by 1957 plan



Trumbull County Court of Common Pleas

235 - 734
JULY 2, 1958
COURT OF COMMON PLEAS, TRUMBULL COUNTY, OHIO

IN THE MATTER OF THE)
APPROPRIATION BY THE)
STATE OF OHIO OF EASE-)
MENTS FOR HIGHWAY PURPOSES)
OVER THE PROPERTY OF)
WAYNE R. COOPER, ET AL.,)
ON STATE ROUTE NO. 45,)
SECTION 15.88)
TRUMBULL COUNTY, OHIO)

RESOLUTION AND FINDING

WHEREAS, I have been unable to purchase certain hereinafter described property, needed in the construction and improvement of State Route No. 45, Section 15.88, Trumbull County, Ohio.

THEREFORE, I find it is necessary for the public convenience and welfare that action be taken under Section 5519.01 and related sections of the Revised Code of Ohio, to appropriate the property hereinafter described, which I deem needed, in accordance with the plans and specifications on file in the Department of Highways, Columbus, Ohio, from the following named owners:

<u>NAME</u>	<u>PLACE OF RESIDENCE</u>
Wayne R. Cooper	R.D. #1, Bristolville, Ohio
Anne Cooper	R.D. #1, Bristolville, Ohio
Treasurer of Trumbull County, Ohio	Court House, Warren, Ohio

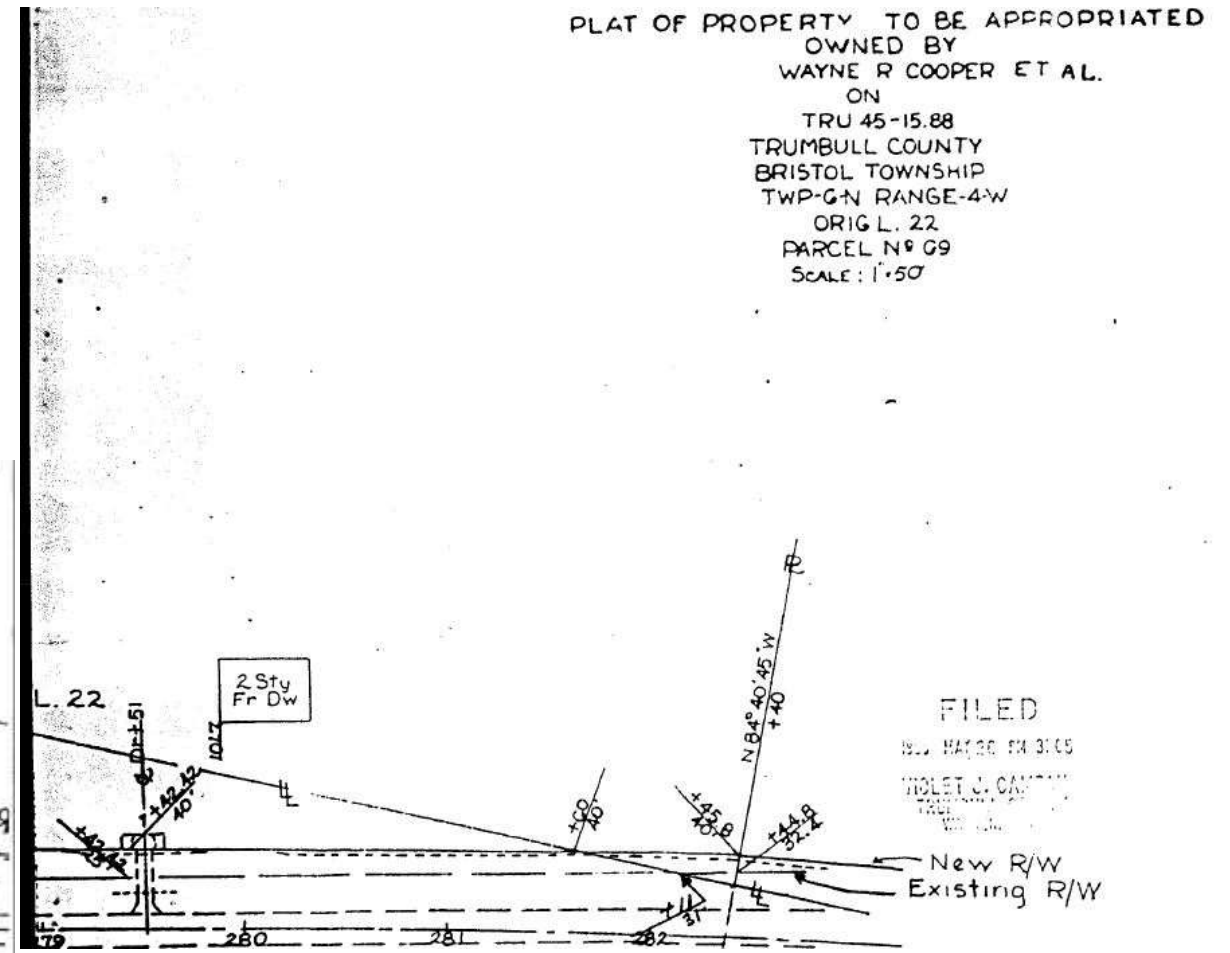
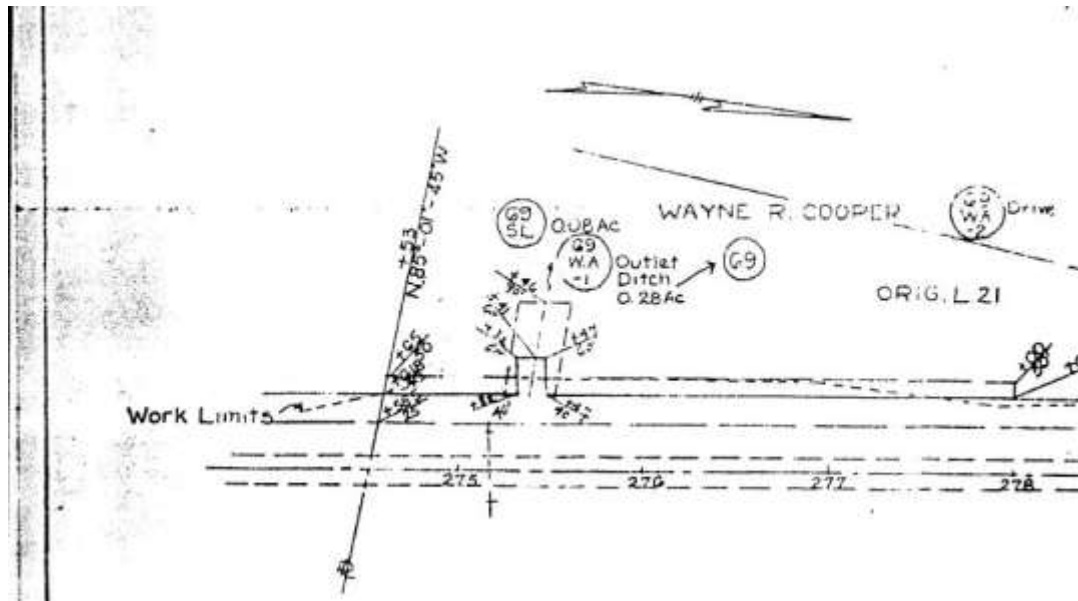
The aforementioned property to be appropriated is located in Lots 21 and 22, Town 6-N, Range 4-W, Bristol Township, Trumbull County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in Volume 22, Page 31, of the records of Trumbull County, Ohio, being more fully described as follows:

PARCEL NO. 69 (HIGHWAY)
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning at a point 25 feet left of Station 274 plus 58.5 in the centerline of survey above referred to, said point being in the existing westerly right of way line of State Route No. 45 at the

Appropriation of Right of Way - 1958

69-SH & 69-SL



The owners do not agree with the amount of compensation!

STATE OF OHIO)
) SS
COUNTY OF TRUMBULL)

Filed June 22 1958
IN THE COURT OF COMMON PLEAS

CASE NO. 67350

IN THE MATTER OF THE APPROPRIATION)
BY THE STATE OF OHIO OF EASEMENTS)
FOR HIGHWAY PURPOSES OVER THE PRO-)
PERTY OF WAYNE R. COOPER, ET AL, ON)
STATE ROUTE NO. 45, SECTION 15.88)
TRUMBULL COUNTY, OHIO)

P E T I T I O N

Now come Wayne R. Cooper and Anna Cooper and file this, their petition in the foregoing matter, and say that they intend to appeal from the findings of the Director of Highways and from the amount of compensation and damage fixed by said Director in a certain resolution dated the 28th day of April, 1958, a copy of which has hereto been filed in this proceeding and recorded in Volume 43, Page 633 of the Journal in the right of way Section of the Director of Highways.

They further say that the land sought to be appropriated by said Director as set out in said resolution, are described as follows:

The aforementioned property to be appropriated is located in Lots 21 and 22, Town 6-N, Range 4-W, Bristol Township, Trumbull County, Ohio, lying on the left side of the centerline of a survey made by the Department of Highways.

Allow a jury to decide on the amount of compensation

THE STATE OF OHIO)
COUNTY OF TRUMBULL)

Filed Sept 12, 1958
IN THE COURT OF COMMON PLEAS
CASE NO 67350

IN THE MATTER OF THE APPROPRIATION
BY THE STATE OF OHIO OF EASEMENT
FOR HIGHWAY PURPOSES OVER THE
PROPERTY OF

WAYNE R. COOPER, et al on
State Route No. 45, Sec.
15.88 Trumbull County,
Ohio

JOURNAL ENTRY

IT IS HEREBY ORDERED, pursuant to Section 5519.02 R. C. that the Jury Commissioners of Trumbull County, Ohio, shall cause to be drawn from the Jury wheel the names of sixteen (16) persons to serve as Jurymen in this case, WAYNE R. COOPER, et al., # 67350, and the Clerk of Courts is hereby ordered to issue a venire commanding them to appear at 9:00 o'clock A. M. September 25th, 1958, and a list of the Jurors, as drawn and in the order in which they were drawn, shall be certified to this Court.

IT IS FURTHER ORDERED that the venire be delivered to the Sheriff of Trumbull County who shall serve it within five (5) days and make prompt return of such service.



Verdict

The jury reached a decision on the compensation for the easements

STATE OF OHIO)
TRUMBULL COUNTY) ss
IN THE COURT OF COMMON PLEAS
filed Sept. 29, 1958
IN THE MATTER OF THE APPROPRIATION BY) NO. 67350
THE STATE OF OHIO OF EASEMENTS FOR)
HIGHWAY PURPOSES OVER THE PROPERTY OF)
WAYNE E. COOPER, ET AL., ON STATE ROUTE)
NO. 45, SECTION 15.88, TRUMBULL COUNTY,)
OHIO.)
JOURNAL ENTRY ON VERDICT

-00-

This cause came on duly to be heard for the determination of compensation of land taken and assessment of damages to the residue. Thereupon a jury was duly impaneled and sworn; and such issues as to compensation and damages were duly submitted to said jury. Thereupon, after due deliberation said jury returned a verdict for ONE THOUSAND FIFTY DOLLARS AND NO CENTS (\$1,050.00), as compensation for the land taken, and ONE THOUSAND EIGHT HUNDRED DOLLARS AND NO CENTS (\$1,800.00), as damages to the residue, such verdict thus being for the total sum of TWO THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND NO CENTS (\$2,850.00).

It is therefore, ordered, adjudged and decreed that the said proceedings be and the same are hereby approved and confirmed by the Court and that the Director of Highways of the State of Ohio, shall deposit with this Court a sum sufficient, to-wit: ONE THOUSAND TWO HUNDRED FIFTY ONE DOLLARS AND FIFTY CENTS (\$1,251.50), which when added to the original deposit herein, to-wit: ONE THOUSAND FIVE HUNDRED NINETY EIGHT DOLLARS AND FIFTY CENTS (\$1,598.50), will equal the said sum of TWO THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND NO CENTS (\$2,850.00), which shall be paid by the Clerk to the landowners herein, as their interest may appear in an order for distribution made by the Court.

Further in conformity with these proceedings, it is ordered, adjudged and decreed that an easement for highway purposes over and upon the premises described in the resolution and finding as Parcel No. 69, 69-A (Highway) the same being located in Lots 21 and 22, Town 6-W, Range 4-W, Bristol Township, Trumbull County, Ohio, lying on the left side of the centerline of survey made by the Department of Highways, and recorded in Volume 22, Page 31, of the records of Trumbull County, Ohio, being more fully described as follows:

**PARCEL NO. 69 (HIGHWAY)
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES**

Beginning at a point 25 feet left of Station 274 plus 34.5 in the centerline of survey above referred to, said point being in the existing westerly right of way line of State Route No. 45 at the southerly property line of these owners; thence westerly with said line to a point 40 feet left of Station 274 plus 61.8; thence northerly parallel with centerline of survey to a point 40 feet left

VA 35, ME 755

va 498 ME 75

va 35, ME 756

of Station 275 plus 32; thence westerly to a point 40 feet left of Station 275 plus 32; thence northerly parallel with the centerline of survey to a point 40 feet left of Station 275 plus 47; thence easterly to a point 40 feet left of Station 275 plus 47; thence northerly parallel with centerline of survey to a point 40 feet left of T.S. Station 279 plus 42.42; thence northerly crossing the lot line at a point 40 feet left of Station 281 plus 60 to a point 40 feet left of Station 282 plus 45.8, said point being in the northerly property line of these owners thence easterly with said line to a point 32.4 feet left of Station 282 plus 44.8, said point being in the hereinbefore mentioned right of way line; thence southerly with said line crossing the lot line at a point 31 feet left of Station 282 plus 11 to the point of beginning, containing 0.28 of an acre, more or less.

**PARCEL NO. 69-A (HIGHWAY)
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES**

Beginning at a point 40 feet left of Station 274 plus 61.8 in the centerline of survey for State Route No. 45 above referred to, said point being in the westerly line of an easement herewith appropriated by the State of Ohio for highway purposes by these owners at the southerly property line of these owners; thence westerly with said line of these owners to a point 50 feet left of Station 274 plus 65; thence northerly parallel with centerline of survey to a point 50 feet left of Station 278 plus 00; thence easterly to a point 40 feet left of Station 278 plus 00, said point being in the hereinbefore mentioned easement line; thence southerly with said line to the point of beginning, containing 0.08 of an acre, more or less.

be and the same hereby are duly vested in the State of Ohio, free and clear of all claims of the owners of said lands and persons having interest therein, to-wit: Wayne E. Cooper, Anne Cooper, and the Treasurer of Trumbull County, Ohio. It is further ordered that the Director of Highways of the State of Ohio, pay all court costs herein accrued and that a record be made of these proceedings according to law.

R. H. Birney
JUDGE

Griffith and Griffith
Attorney for Appellants

William Saxbe
William Saxbe
Attorney General of Ohio

Frank R. Bodor
Assistant Attorney General

BUT, look at the slope easement 69-SL

What happened to the proposed taking?

The original slope easement 69-SL

Vol. 35, No. 740

PARCEL NO. 69-SL (SLOPE)
THE TEMPORARY RIGHT TO CONSTRUCT A SLOPE IN ACCORDANCE WITH THE PLANS AND
FOR NO OTHER PURPOSE

Beginning at a point 40 feet left of Station 274 plus 61.8 in the centerline of survey for State Route No. 45 above referred to, said point being in the westerly line of an easement herewith appropriated by the State of Ohio for highway purposes by these owners at the southerly property line of these owners; thence westerly with said line of these owners to a point 50 feet left of Station 274 plus 65; thence northerly parallel with centerline of survey to a point 50 feet left of Station 278 plus 00; thence easterly to a point 40 feet left of Station 278 plus 00, said point being in the hereinbefore mentioned easement line; thence southerly with said line to the point of beginning; containing 0.08 of an acre, more or less.

They further say they are the owners of the above described lands.

WHEREFORE, they ask that the amount of compensation due them by reason of said appropriation be determined in the appropriate manner under

The result of the jury trial, now 69-A

PARCEL NO. 69-A (HIGHWAY)
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning at a point 40 feet left of Station 274 plus 61.8 in the centerline of survey for State Route No. 45 above referred to, said point being in the westerly line of an easement herewith appropriated by the State of Ohio for highway purposes by these owners at the southerly property line of these owners; thence westerly with said line of these owners to a point 50 feet left of Station 274 plus 65; thence northerly parallel with centerline of survey to a point 50 feet left of Station 278 plus 00; thence easterly to a point 40 feet left of Station 278 plus 00, said point being in the hereinbefore mentioned easement line; thence southerly with said line to the point of beginning, containing 0.08 of an acre, more or less.

be and the same hereby are duly vested in the State of Ohio, free and clear of all claims of the owners of said lands and persons having interest therein, to-wit: Wayne R. Cooper, Anne Cooper, and the Treasurer of Trumbull County, Ohio.

It is further ordered that the Director of Highways of the State of Ohio, pay all court costs herein accrued and that a record be made of these proceedings according to law.

What are easements worth?

Offer for 69-SH & 69-SL

Resolution and Finding, Trumbull County, Ohio.
Wayne R. Cooper, et al.,
Parcels Nos 69 and 69SL

at the southerly property line of these owners; thence westerly with said line of these owners to a point 50 feet left of Station 274 plus 63; thence northerly parallel with centerline of survey to a point 50 feet left of Station 278 plus 00; thence easterly to a point 40 feet left of Station 278 plus 00, said point being in the hereinbefore mentioned easement line; thence southerly with said line to the point of beginning, containing 0.08 of an acre, more or less.

And I find the following amount to be the value of the property to be appropriated and damages to the residue:

<u>VALUE OF LAND</u>	<u>DAMAGES TO THE RESIDUE</u>	<u>TOTAL DEPOSIT</u>
\$838.50	\$760.00	\$1598. ⁵⁰ 00

WITNESS my hand and seal this 28th day of April, 1958.

Final compensation increased

WE, the Jury, being duly impaneled and sworn in this case, do assess the compensation and damages to be paid by reason of the appropriation of easements for highway purposes through the property described in the Resolution for the uses and purposes as set forth in said Resolution, as follows:

To WAYNE R. COOPER, and ANNE COOPER, owners
as compensation:

Value of lands taken.....\$ 1050.00

Damage to residue.....\$ 1800.00

Total Compensation.....\$ 2850.00

Additional right of way for current project

NOTE: THE EXISTING R/W WIDTH AND LOCATION WERE DETERMINED USING:

- TRU-45-15.88 LOCATION PLAT RECORDED IN VOLUME 22, PAGE 31 TRUMBULL COUNTY PLAT RECORDS.
- TRU-45-15.88 RIGHT OF WAY PLANS, REV. 01-30-58
- TRUMBULL COUNTY COURT OF COMMON PLEAS CASE #67252 AND #67350.
- TRUMBULL COUNTY DEED RECORDS AS SHOWN IN THESE PLANS.

TRUMBULL COUNTY
BRISTOL TOWNSHIP
SECTION 21
TOWNSHIP 6 RANGE IV
CONNECTICUT WESTERN RESERVE

LABEL	STATION	OFFSET
A	275+47.00	50.00 LT
B	275+47.00	60.00 LT
C	275+32.00	60.00 LT
D	275+32.00	50.00 LT

PARCEL	DOCUMENT
#69	T.C.C.C.P. CASE #67350
#69-A	T.C.C.C.P. CASE #67350
#61-SL	D.V.691, PG.45
T.C.C.C.P. = TRUMBULL COUNTY COURT OF COMMON PLEAS	

RESIDENTIAL

2

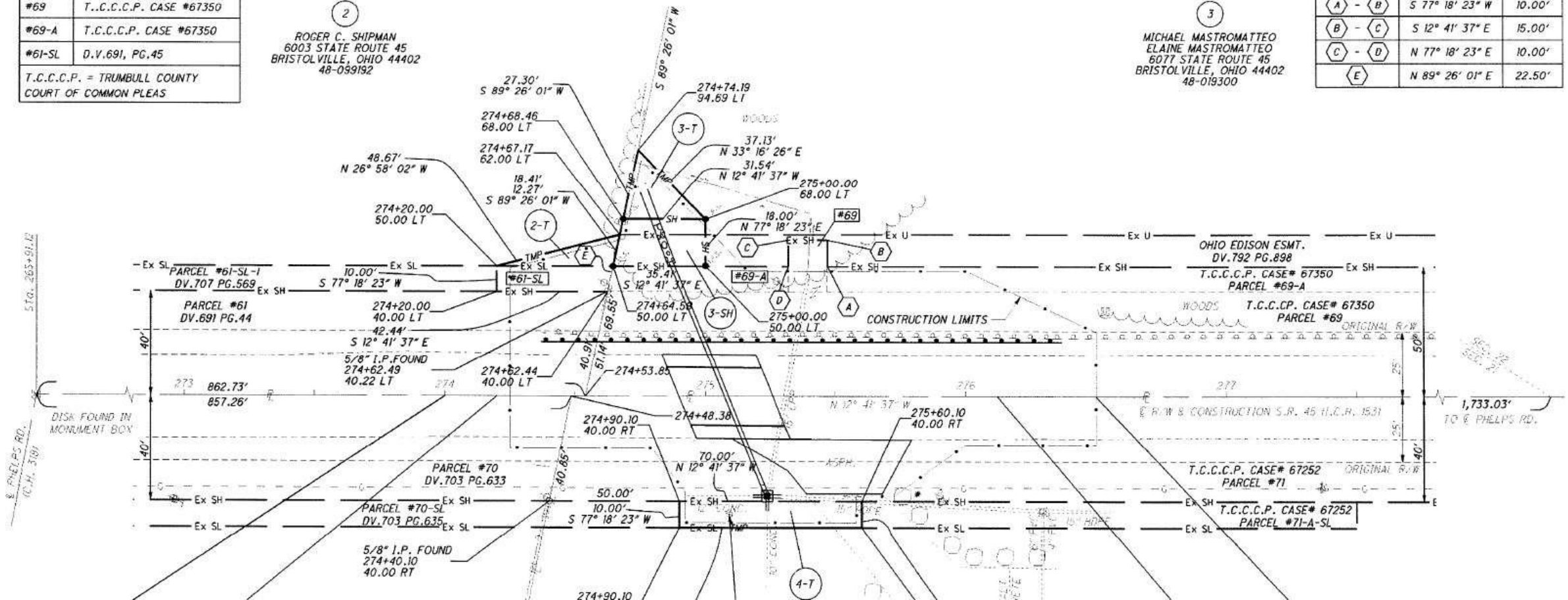
ROGER C. SHIPMAN
6003 STATE ROUTE 45
BRISTOLVILLE, OHIO 44402
48-059192

AGRICULTURAL

3

MICHAEL MASTROMATTEO
ELAINE MASTROMATTEO
6077 STATE ROUTE 45
BRISTOLVILLE, OHIO 44402
48-019300

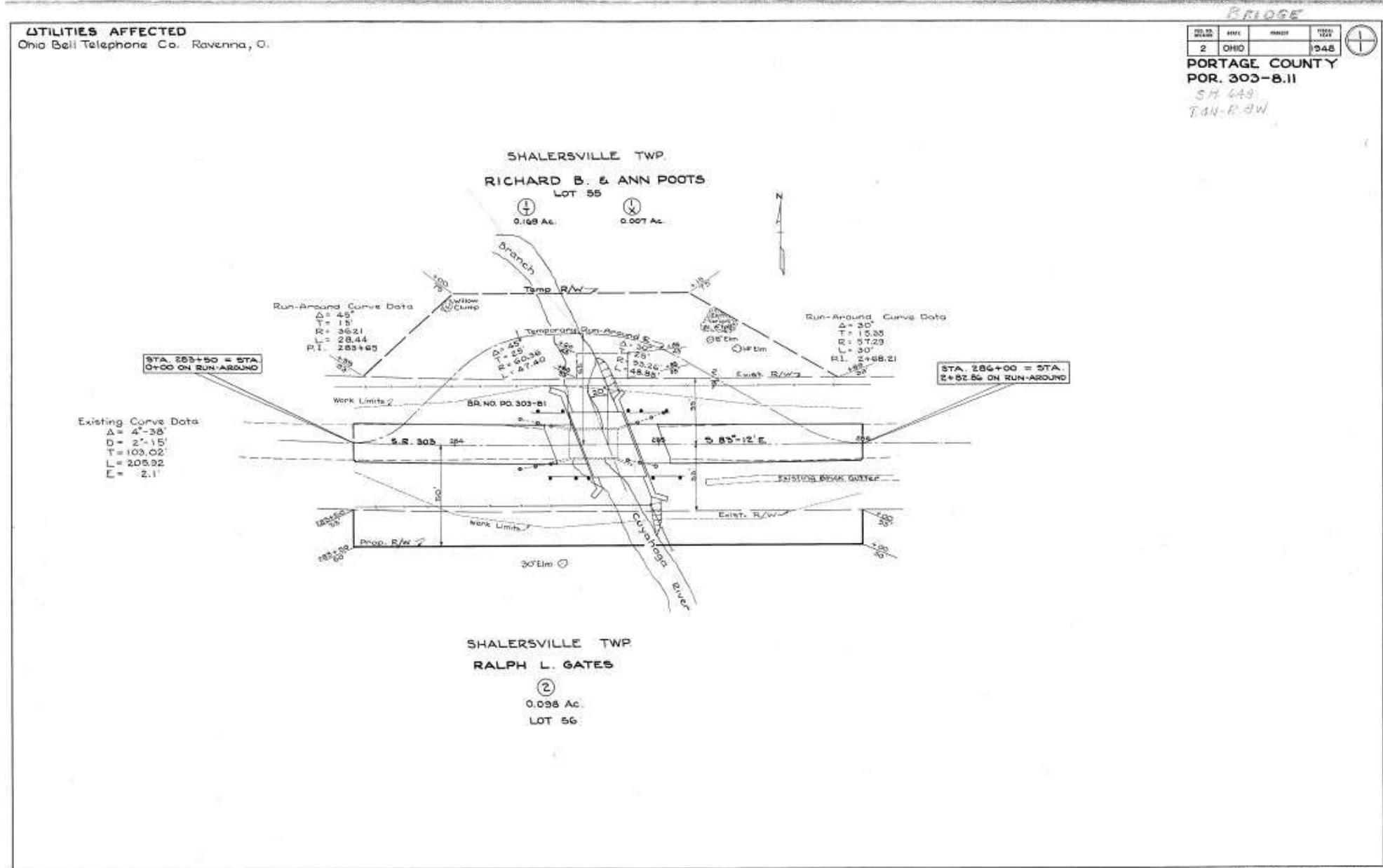
LABEL	BEARING	DISTANCE
A - B	S 77° 18' 23" W	10.00'
B - C	S 12° 41' 37" E	15.00'
C - D	N 77° 18' 23" E	10.00'
E	N 89° 26' 01" E	22.50'



POR-303-8.09

- Field survey for the replacement of small bridge along SR 303
- Task 2.3.A.B. Monumentation recovery
- Task 2.3.A.F. Establish property lines, tax id, & ownerships on base map
 - Input limits of R/W from centerline, right of way, and/or property pins with record documents
- Initial research indicates decent information available
- Task 3.4 Right of Way Plans (*if authorized*)

Right of Way Plan - 1949



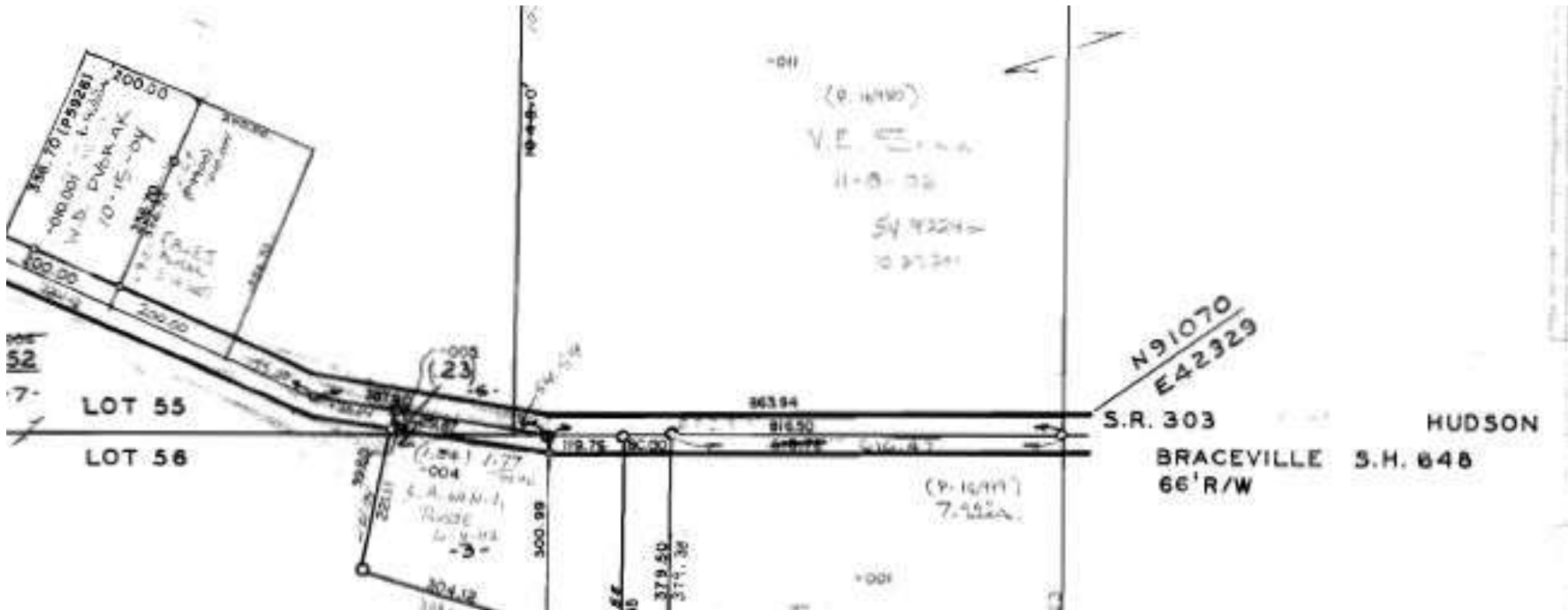
Portage County GIS



Notes

Does not reflect additional R/W 50' offset
centerline in POR-303-8.11 (SH648) plan, 1948.
Parcel 2, 0.098 acres from Ralph L. Gates.

Tax Map for Lots 55 & 56



Road Record Index - 66'

Richfield-Hudson-Braceville Road							
(Hudson-Windham Road)							
2	648	State	66	Beginning at S.H. #12 and Co. Rd. #195 thence E. on 195 through Streetsboro, Shalersville, Freedom & Windham Twps. to the Portage-Trumbull Co. Line. Notice of hearing - proposed addition to S.H. System. (18.99 miles) County Commissioners guarantee 60' right of way.			
				Apr.	6	1936	21 199
				June	2	1936	21 240
				Dec.	14	1936	21 356
Established as extension to S.H. #648							

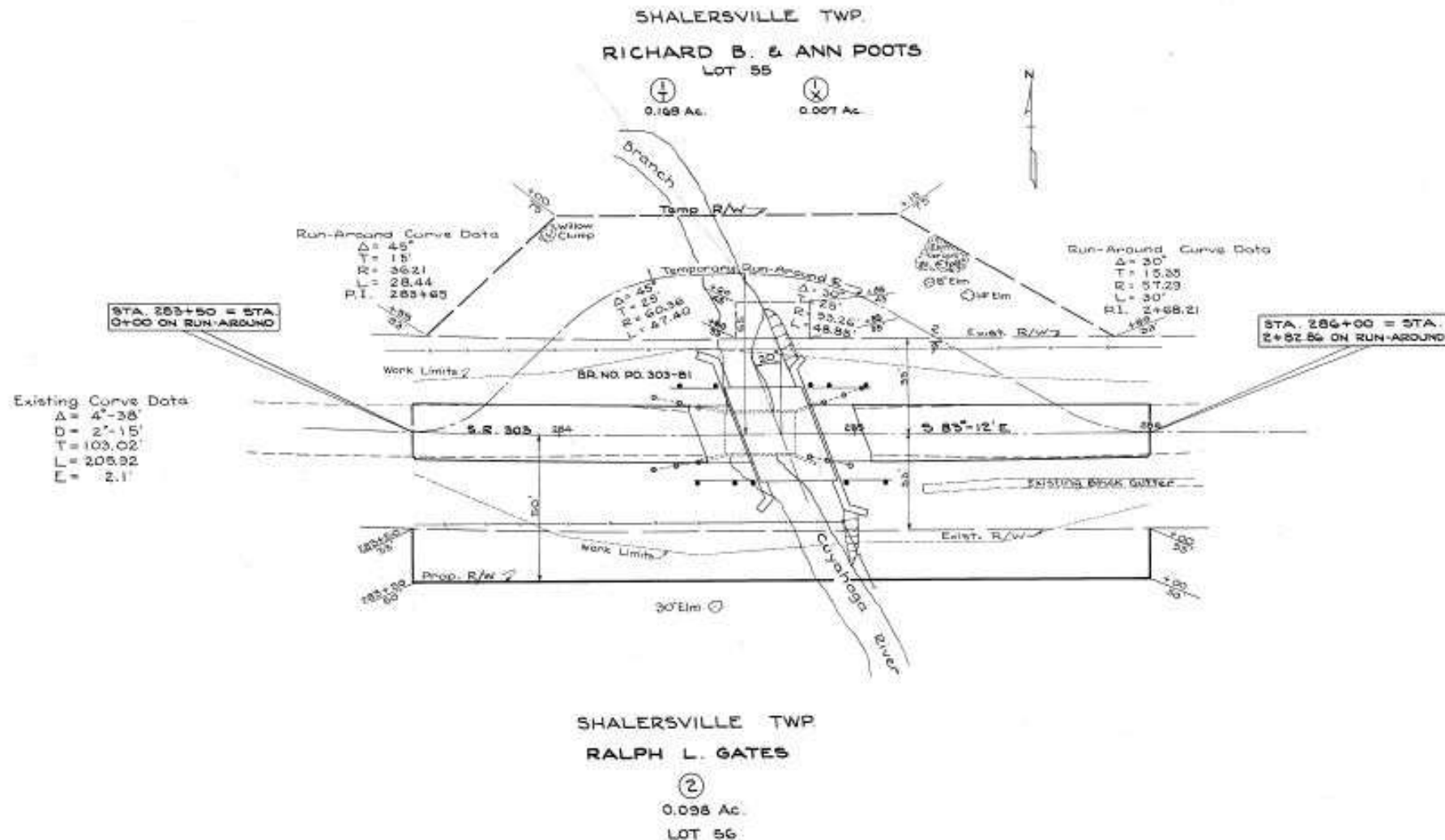
UTILITIES AFFECTED
Ohio Bell Telephone Co. Ravenna, O.

Right of Way Plan - 1949

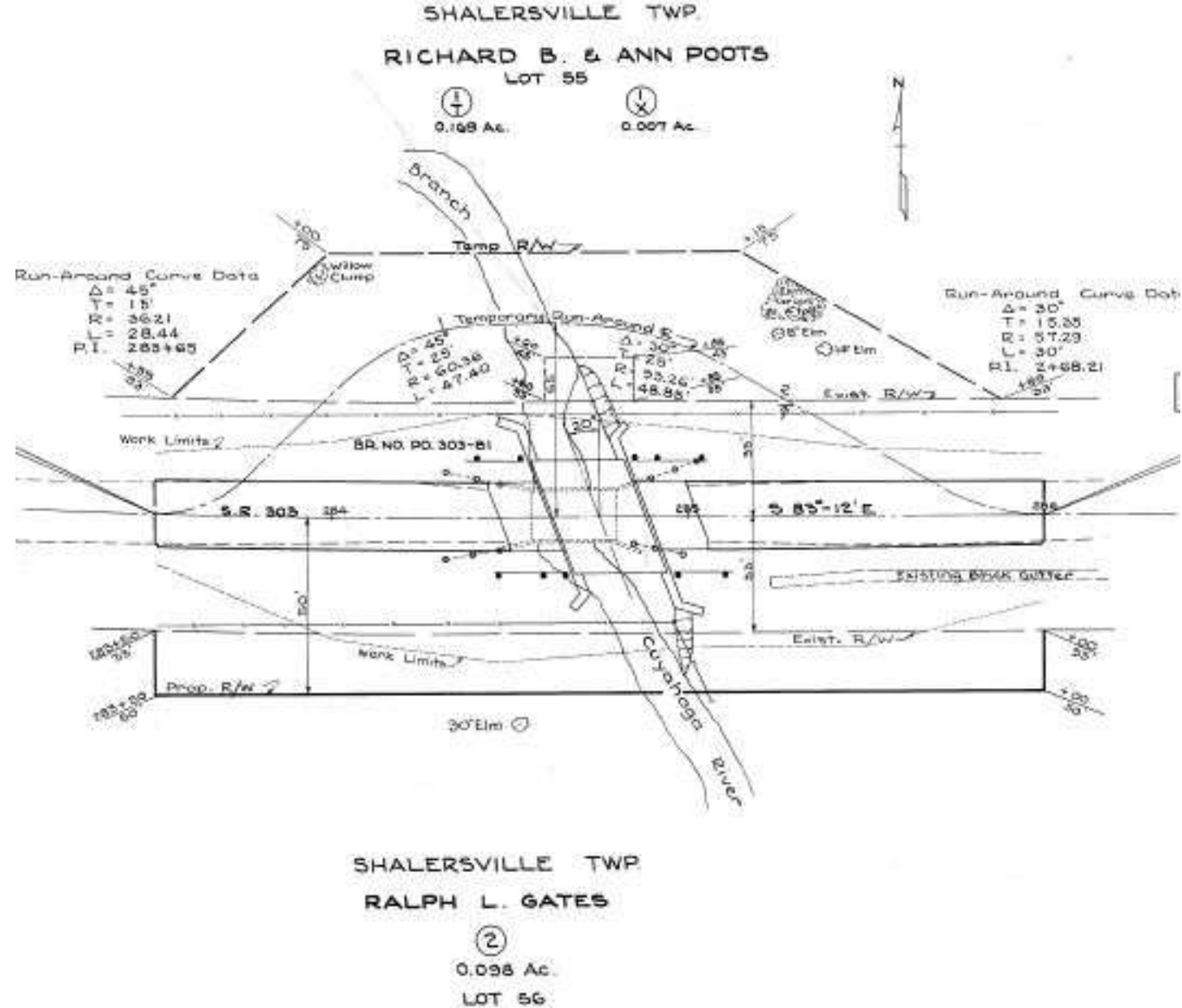
BRIDGE

FILE NO.	DATE	BY	NO.
2	OHIO		348

PORTAGE COUNTY
POR. 303-B.11
S.H. 448
TAN-R.8W



Proposed R/W - Parcels 1-X, 1-T, 2



2011 Survey

12-6-2011

(P-16999)

Plat Of Survey

FOR RUBY L. GAGE (SUCCESSOR TRUSTEE)
FILE #201010876 - PARCEL #1
BEING PART OF LOT #56 IN THE TOWNSHIP OF SHALERSVILLE,
COUNTY OF PORTAGE, STATE OF OHIO

OCTOBER 2011



LEGEND

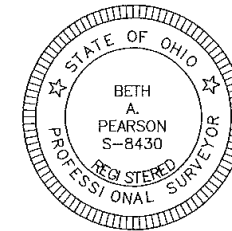
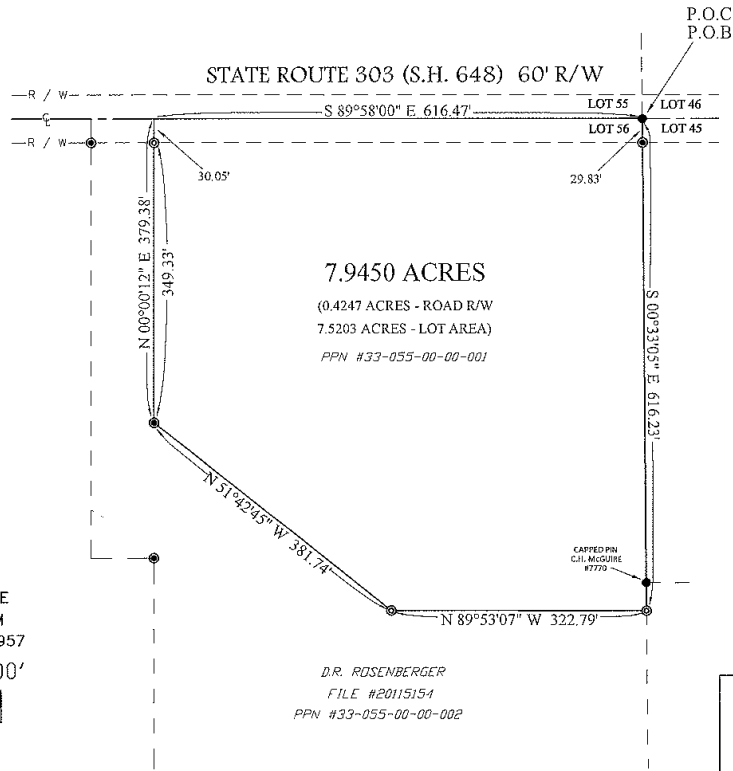
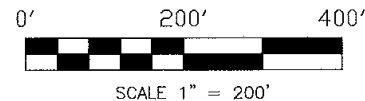
These standard symbols will
be found in the drawing.

- 3/4" IRON PIPE FOUND
- ⊙ 2" IRON PIPE FOUND
- 5/8" IRON BAR FOUND

REFERENCES

DEEDS AS NOTED
C.H. McGUIRE SURVEY - NOV. 2007
J.W. DANIEL SURVEY - JAN. 2000
E.J. COLLIER SURVEY - NOV. 2006
L.F. CONVERSE SURVEY - MAY 1957

THE BASIS OF BEARING OF S 89°58'00" E
FOR STATE ROUTE 303 WAS TAKEN FROM
THE L.F. CONVERSE SURVEY DATED MAY 1957



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THIS DRAWING TO BE
A CORRECT DELINEATION OF AN ACTUAL
FIELD SURVEY MADE BY ME, AND ALL
MONUMENTATION HAS BEEN FOUND OR
SET AS SHOWN HEREON.

Beth A. Pearson 10/24/11
BETH A. PEARSON P.S.# 8430 DATE

Pearson
Surveying

3366 HODDON ROAD, RAVENNA, OHIO 44266
OFFICE (330) 296-9200 CELL (330) 618-9195

Survey to the west

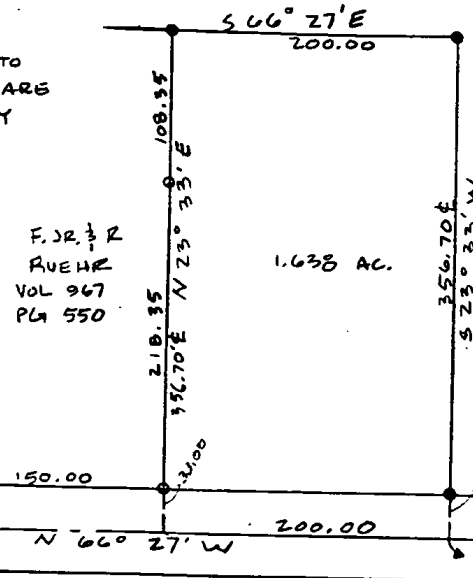
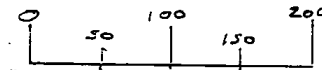
REC 1-29-92 UH/M

(P-9900)

APPROVED BY
SHALERSVILLE TOWNSHIP ZONING INSPECTOR

[Signature]
ZONING INSPECTOR
1-20-92
DATE

BASIS OF BEARING:
BEARINGS SHOWN HEREON ARE TO
AN ASSUMED MERIDIAN AND ARE
USED TO DENOTE ANGLES ONLY



F. & E. RUEHR
VOL 782 PG 591
VOL 967 PG 548
VOL 1010 PG 253

A. POTTS

SE. CORN.
LOT 55

816.50

○ - I.P. FOUND
● - IRON PIN SET

CERTIFICATION
I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND
SHOWN ON THIS PLAT AND HAVE FOUND OR SET IRON PINS AND
MONUMENTS SHOWN HEREON.

[Signature]

DOUGLAS E. BEDORE, P.S. 6023



FOR JEFF RUEHR

LOT 55, SHALERSVILLE TOWNSHIP

PORTAGE COUNTY, OHIO

SCALE: 1" = 100'-0" DATE: JANUARY 1992

SURVEYED BY: DOUGLAS E. BEDORE P.S. 6023

Easement 1-X

Agreement with owner

Existing R/W 33' from centerline

6-24-38

VOL 401 PAGE 30

AGREEMENT FOR CHANNEL CHANGE

S. H. (ICH) No. S.R. 303, Section 8.11, Portage County

ARTICLES OF AGREEMENT

These articles of agreement entered into this 1 day of Dec, 19 48,

by Richard B. Poots and Ann Poots and the Department of Highways,
State of Ohio, Witnesseth:

That Richard B. Poots and Ann Poots, for and in consideration
of the sum of One and no/100 Dollars (\$ 1.00) to them....
paid by the State of Ohio, do hereby, grant permission to said State of Ohio to use the here-
inafter described portion of their premises for the purpose of excavating and completing a chan-
nel change for an outlet at Bridge No. 30-303-51 in connection
with the above proposed improvement; the Grantor do further agree to permit the State of Ohio
to perform such maintenance and repair operations on said channel change as may be necessary to
protect the highway, and further, the Grantor do for the consideration hereinbefore named, release...
the State of Ohio from and waive all damages of every kind and nature whatsoever arising from
or in any manner growing out of the aforesaid channel change or said maintenance and repair opera-
tions necessary to protect said highway. The said channel change is to be made on the following de-
scribed premises: Situated in the State of Ohio, County of Portage, Shalersville.....
Township, Section 9-1-55, Town 4N, Range 8W, and more fully described as follows:

Parcel No. 1-X

Being a parcel of land lying on the left side of the centerline of a survey, made by
the Department of Highways, and being located within the following described points
in the boundary thereof:

Beginning at a point 33 feet left of Sta. 284+60 in the centerline of survey made by
the Ohio Department of Highways for this improvement, said point being in the existing
northerly right of way line of State Route No. 303; thence northerly to a point 45 feet
left of Sta. 284+60; thence easterly parallel with the centerline of survey to a point
45 feet left of Sta. 284+85; thence southerly to a point 33 feet left of Sta. 284+85,
said point being in the existing northerly right of way line of State Route No. 303;
thence westerly with said right of way line to the point of beginning, containing
0.007 of an acre, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned
survey and as shown by plans on file in the Department of Highways. Columbus. Ohio.

Appropriation for Parcel 2

STATE OF OHIO
PORTAGE COUNTY

IN THE COURT OF COMMON PLEAS
Case No. 20860

FILED
JAN 17 1940
COURT OF COMMON PLEAS
CLYDE R. PLATT, Clerk
PORTAGE COUNTY, OHIO

Earl L. Reeb,
Director of Highways
of the State of Ohio,
Plaintiff

-vs-

Ralph L. Gates
R. F. D. 3,
Mantua, Ohio,
Defendant

IN THE MATTER OF THE APPROPRIATION
OF AN EASEMENT FOR HIGHWAY PURPOSES
OVER THE LANDS OF RALPH L. GATES, AND
NECESSARY IN THE CONSTRUCTION AND
IMPROVEMENT OF STATE ROUTE NO.
303, SECTION 8.11, IN PORTAGE COUNTY
OHIO

Now comes Ralph L. Gates, owner of the property appropriated by the
Director of Highways of the State of Ohio as aforesaid, and within ten days after
the service of notice of the filing of this resolution and finding in this Court,
declares his intention to appeal from the amount deemed by said Highway Director
to be the value of the property described in said resolution and finding, to-wit:

remaining to said owner after said appropriation is in a large and as yet undetermined amount damaged by such taking. The legal description of the property appropriated is as follows, to-wit:

Located in Great Lot 56, Town 4 North, Range 8 West, Shalersville Township, Portage County, Ohio and more fully described as follows:

PARCEL NO. 2 (RIGHTWAY)

Being a parcel of land lying on the east side of the centerline of a survey made by the Department of Highways for State Route No. 303, Section 8.11, and being located within the following described points in the boundary thereof:

Beginning at a point 33 ft. right of station 283 plus 50 in the centerline of a survey made by the Ohio Department of Highways for this improvement, said point being in the existing station right of way line of State Route No. 303; thence easterly, along said right of way line, to a point 33 ft. right of Station 286 plus 00; thence westerly to a point 50 ft. right of Station 286 plus 00; thence westerly, parallel with the centerline of survey, to a point 50 ft. right of Station 283 plus 50; thence northerly to the point

Existing R/W 33' from centerline

THE COURT OF COMMON PLEAS

PORTAGE COUNTY, OHIO

IN THE MATTER OF THE APPROPRIATION OF
AN EASEMENT FOR HIGHWAY PURPOSES OVER
THE LANDS OF RALPH L. GATES, AND
NECESSARY IN THE CONSTRUCTION AND
IMPROVEMENT OF STATE ROUTE NO. 303
SECTION 8.11, IN PORTAGE COUNTY, OHIO



No. 20858

DATE: Oct 19, 1966

JOURNAL ENTRY

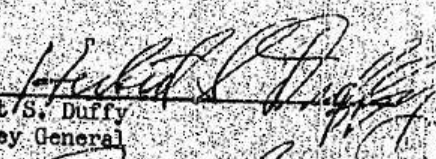
It appears to the Court that the owner of the property, over which an easement was appropriated in this action, has agreed with the Director of Highways of the State of Ohio, upon the amount of compensation and damages due said owner by reason of said appropriation, and has agreed to accept and withdraw the amount of Three Hundred Fifty Dollars, (\$350.00) in full payment thereof, and has released all claim for further compensation or damages resulting from the construction of said highway improvement or from the appropriation of said easement.

In conformity with the said agreement, it is hereby ordered, adjudged and decreed that the said Director of Highways shall deposit in this Court the sum of Three Hundred Fifty Dollars (\$350.00) which sum shall be paid by the Clerk to the landowner herein.

It is further ordered, adjudged and decreed that an easement for highway purposes in, over and upon the said premises described in the resolution and finding as Parcel No. 2, be and the same hereby is duly vested in the State of Ohio, free and clear of all claims of the owner of the said premises to wit: Ralph L. Gates.

Journal Entry

It is further ordered that the Director of Highways of the State of Ohio pay all Court Costs herein accrued and that a record be made of this proceeding according to law.

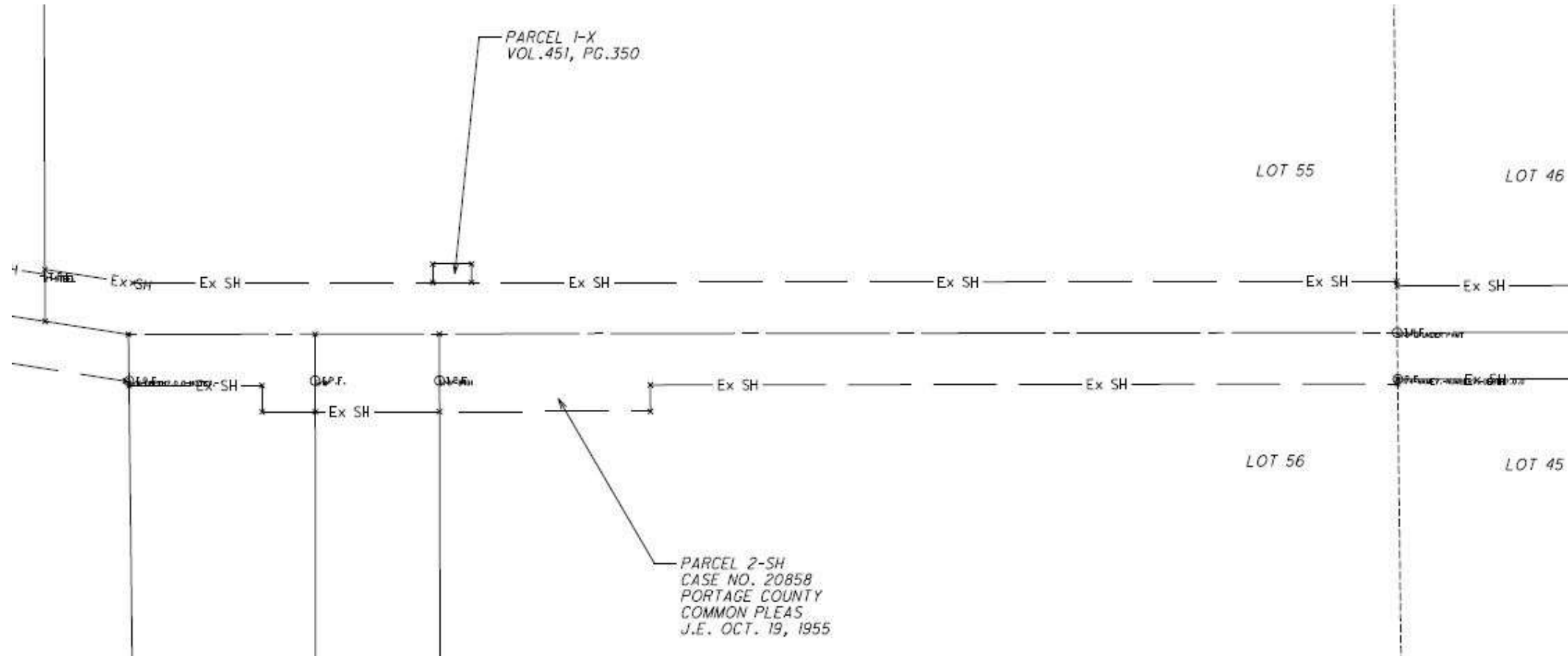

Herbert S. Duffy
Attorney General


Frank Wilke
Assistant Attorney General


Attorney for Landowner


Judge

Existing Right of Way



**PORTAGE COUNTY
SHALERSVILLE TOWNSHIP
LOT 55 & 56 - TOWNSHIP 4, RANGE VIII
CONNECTICUT WESTERN RESERVE**

PARCEL/SEWAGE NO. / REQUIRED	TOTAL AREA ACRES/	AREA OF OVERLAP (MOORE) EXISTING CHANNEL PCL. 1-4
10-24 10-24 HWY	17.00	0.00

NOTE: THE EXISTING CENTERLINE, AND PROPERTY LINES WERE ESTABLISHED USING:
 * PORTAGE COUNTY DEEDS VOL. 46, PG. 348;
 * FILE# 200320685; FILE# 200328123;
 * FILE# 20102468; FILE# 200828851;
 * FILE# 20071984;
 * PORTAGE COUNTY SURVEYS: P-4253; P-9300;
 * P-9388; P-9349; P-9350; P-9399.

THE 66' R/W WIDTH IS BASED UPON:
 * STATE OF OHIO RIGHT OF WAY PLAN,
 POR-303-8.11 (1948).
 - DEED VOL. 45, PG. 350, PARCEL 1-4,
 - PORTAGE COUNTY COMMON PLEAS COURT
 CASE 20858, PARCEL 2-24.
 * SURVEY P-9900 BY DOUGLAS E. SEDORE, PS
 DATED JAN. 1992.

AGRICULTURAL

10-24
 VIRGINIA E. SMITH
 430 STATE ROUTE 303
 MANTUA, OHIO 44255
 APN 33-055-00-00-01-000
 FILE# 200628857

**E R/W & CONSTRUCTION OF STATE ROUTE 303
 HUSON BRACEVILLE ROAD, STATE HIGHWAY 648**

282+00.00
 33.00 LT

284+00.00
 33.00 LT

286+75.00
 60.00 LT

288+75.00
 33.00 LT

290+80.50
 33.00 LT

292+00.00
 33.00 LT

294+00.00
 33.00 LT

296+00.00
 33.00 LT

298+00.00
 33.00 LT

300+00.00
 33.00 LT

302+00.00
 33.00 LT

304+00.00
 33.00 LT

306+00.00
 33.00 LT

308+00.00
 33.00 LT

310+00.00
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312+00.00
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382+00.00
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402+00.00
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404+00.00
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406+00.00
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408+00.00
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410+00.00
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412+00.00
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414+00.00
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416+00.00
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418+00.00
 33.00 LT

420+00.00
 33.00 LT

422+00.00
 33.00 LT

424+00.00
 33.00 LT

426+00.00
 33.00 LT

428+00.00
 33.00 LT

430+00.00
 33.00 LT

432+00.00
 33.00 LT

434+00.00
 33.00 LT

436+00.00
 33.00 LT

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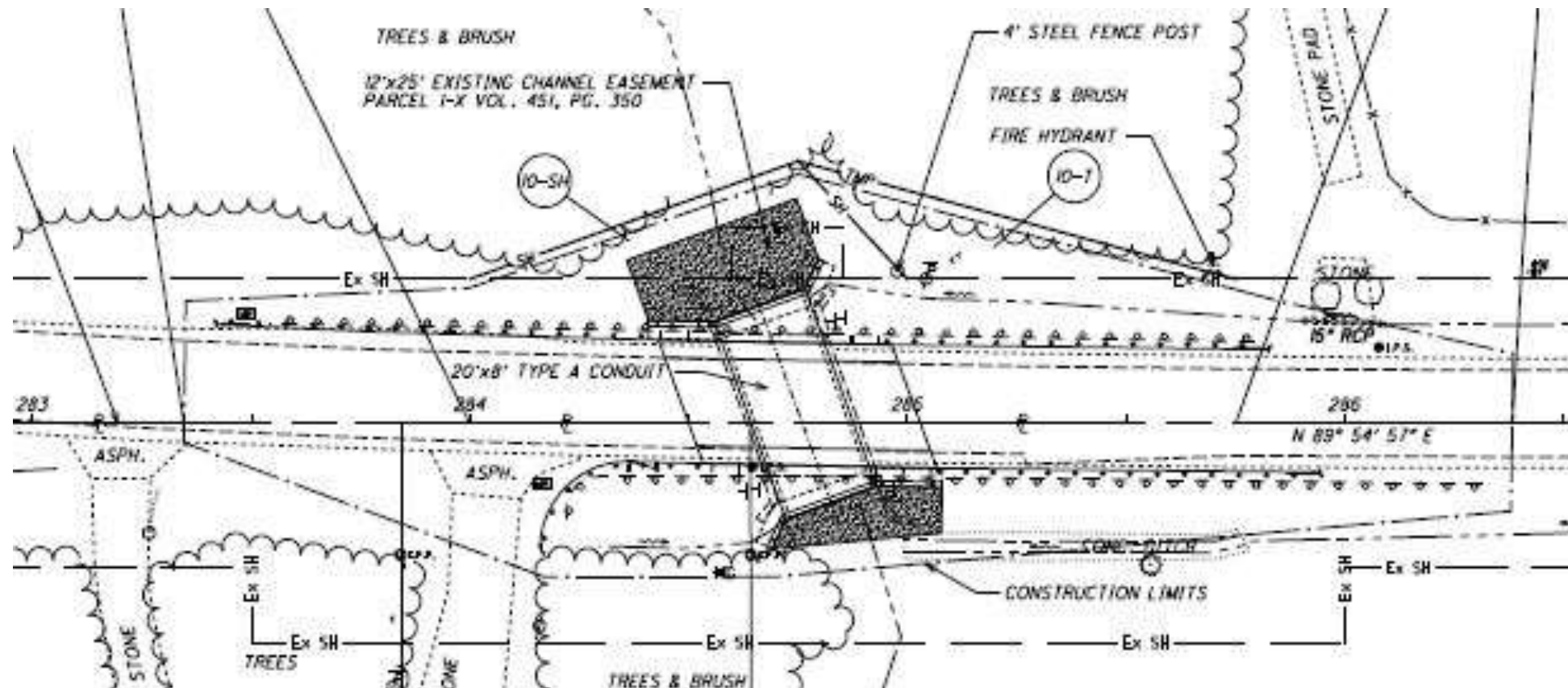
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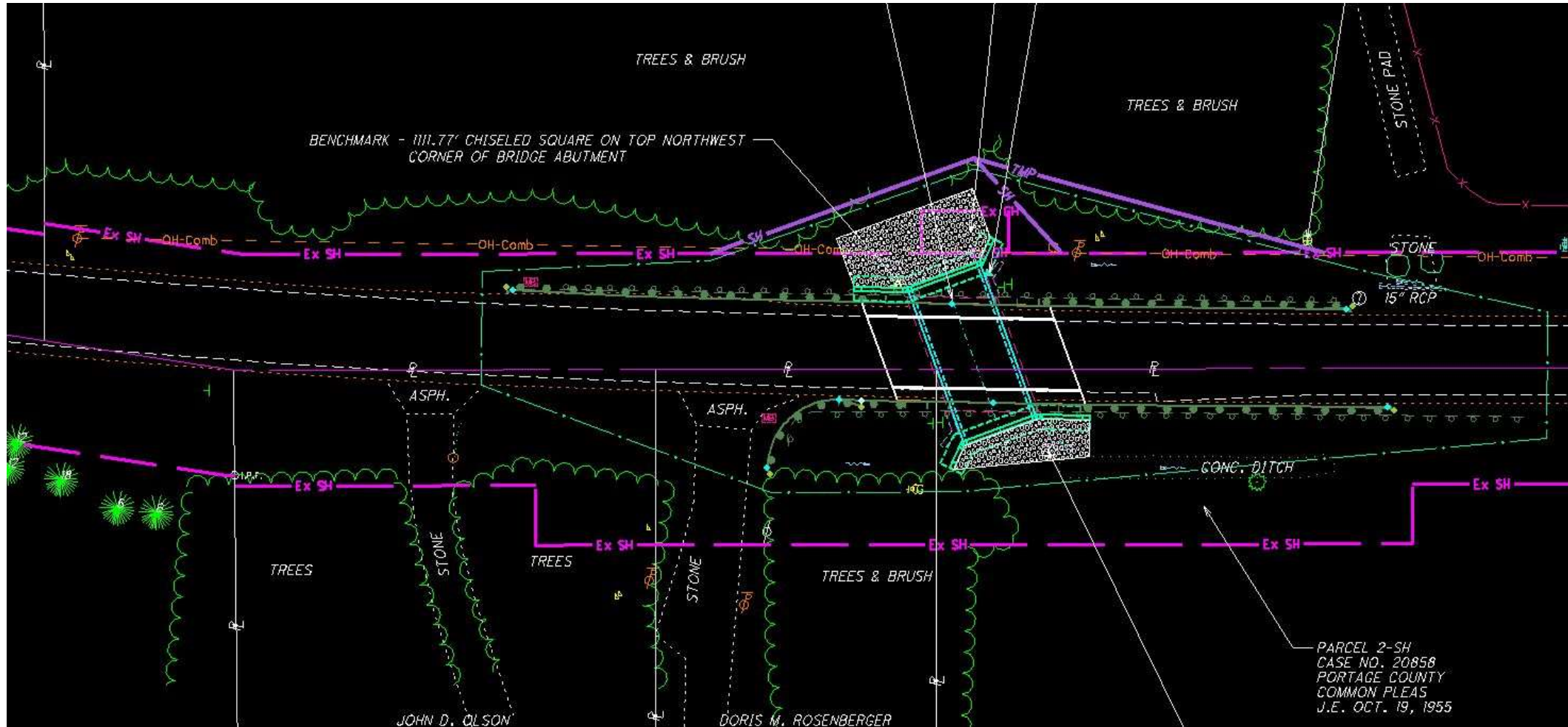
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Right of Way Topo



Existing & Proposed Right of Way



Clear Statement

NOTE: THE EXISTING CENTERLINE, AND PROPERTY LINES WERE ESTABLISHED USING:

- * PORTAGE COUNTY DEEDS: VOL. 45, PG. 348;
FILE# 200320685; FILE# 200328123;
FILE# 201122468; FILE# 200628857;
FILE# 200711464.
- * PORTAGE COUNTY SURVEYS: P-6313; P-9900;
P-16060; P-16349; P-16350; P-16999.

THE 66' R/W WIDTH IS BASED UPON:

- * STATE OF OHIO RIGHT OF WAY PLAN,
POR-303-8.11 (1948).
 - DEED VOL. 451, PG. 350, PARCEL 1-X.
 - PORTAGE COUNTY COMMON PLEAS COURT
CASE 20858, PARCEL 2-SH.
- * SURVEY P-9900 BY DOUGLAS E. BEDORE, PS
DATED JAN. 1992.

Summary

- What is readily available may not be the whole picture
- Information is often duplicated
- Check to ensure acquisition occurred as shown
- Build from the foundation forward
- Proper research is the most critical component
- Trust your instinct!

Questions ?

Franklin D. Snyder, Jr., P.S.

330-799-1501

fsnyder@fokeng.com



**COUNTY ENGINEERS
ASSOCIATION OF OHIO**

"ALL TRAVEL STARTS AND ENDS ON A LOCAL ROAD"

