

Resolution

No. 2023-181

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

JARRA L. UNDERWOOD, County Auditor

Adopted: April 5, 2023

Subject: **Approval of Partial Road Vacation of C.R. 30A (East Lincoln Way)**



It was moved by Commissioner Hofstetter and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, Ohio Revised Code (ORC) 5553.02 authorizes the board of county commissioners to locate, establish, alter, widen, straighten, vacate, or change the direction of a public road when the board is of the opinion that it will be for the public convenience or welfare; and

WHEREAS, the Board held a Public Viewing at Parcel #27-01756.000 on March 22, 2023, at 11:00am, in accordance with ORC 5553.05; and

WHEREAS, the Board held a Public Hearing on March 29, 2023 at 8:30am as required by ORC 5553.05; and

WHEREAS, it is the determination that the vacation will be for the public convenience or welfare; and

WHEREAS, per ORC 5553.10 the board shall cause a record of the proceedings, including the survey, plat, and accurate and detailed description of such improvement, to be entered forthwith in the proper road records of the county by the county engineer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners:

Section 1. The road/alley described as follows shall be vacated and a record of the proceedings, including the survey, plat, and accurate and detailed description of such improvement, shall be entered forthwith in the proper road records of the county by the county engineer per ORC 5553.10.

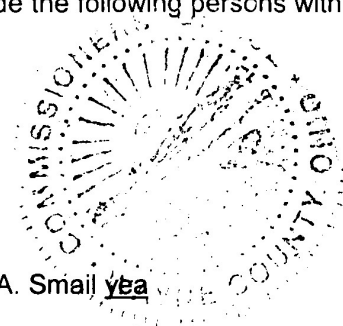
a portion of C.R. 30A (East Lincoln Way) situated in the township of East Union, T-16N; R-12W, N.E. Qtr. of Section 11, County of Wayne, State of Ohio, Legal Description attached as Exhibit A

Section 2. The Clerk of the Board is hereby authorized and directed to provide the following persons with a copy of this Resolution.

Fiscal Officer of East Union Township
Director of the Ohio Dept. of Natural Resources
Wayne County Prosecuting Attorney
Engineer
Auditor

AUDITOR'S OFFICE
PICK UP

Inst #202300003178



The vote is as follows: Ron Amstutz yea Jonathan Hofstetter yea Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk

WAYNE COUNTY TAX MAP
Initials SALD FILE# 2023-1226
DATE 4/10/2023
IDENT. EL-11-NE

AMT. PD 0 DATE 4/10/23
JARRA L. UNDERWOOD, AUDITOR

Diane Schreiner DEPUTY

202300003178 04/10/2023 10:05 AM
Filed for Record in WAYNE County, Ohio
Jane Carmichael Rec Fees: \$0.00
VACN OR Vol 33 Pgs 380 - 386

Resolution

No. 2023-91

Board of Wayne County Commissioners

Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: February 15, 2023

Subject: **Notice Setting the Date for Viewing and for Final Hearing of Proposed Partial Road Vacation of C.R. 30A (East Lincoln Way)**

It was moved by Commissioner Hofstetter and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, the Ohio Revised Code (ORC) §5553.02 authorizes the board of county commissioners to locate, establish, alter, widen, straighten, vacate, or change the direction of a public road when the board is of the opinion that it will be for the public convenience or welfare; and

WHEREAS, the Board of County Commissioners, Wayne County, Ohio (Board) is of the opinion that it will be for the public convenience or welfare to vacate a portion of C.R. 30A (East Lincoln Way) situated in the township of East Union, T-16N; R-12W, N.E. Qtr. Of Section 11, County of Wayne, State of Ohio, Legal Description attached as Exhibit A, due to the prior narrowing of CR 30A into a two lane highway without adjustment of the road right of way; and

WHEREAS, the Board sets the Public viewing at Parcel #27-01756.000 to be held on March 22, 2023, at 11:00am, in accordance with ORC §5553.05; and

WHEREAS, the Board sets the final hearing on March 29, 2023 at 8:30am before the Commissioners' Meeting, in the Meeting Room on the 2nd Floor of the Administrative Building located at 428 W. Liberty St., Wooster, Ohio as required by ORC §5553.05.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

Section 1. The Board hereby sets the Public viewing at Parcel #27-01756.000 to be held on March 22, 2023, at 11:00am, in accordance with ORC §5553.05;

Section 2. The Board sets the final hearing on March 29, 2023 at 8:30am before the Commissioners' Meeting, in the Meeting Room on the 2nd Floor of the Administrative Building located at 428 W. Liberty St., Wooster, Ohio as required by ORC §5553.05

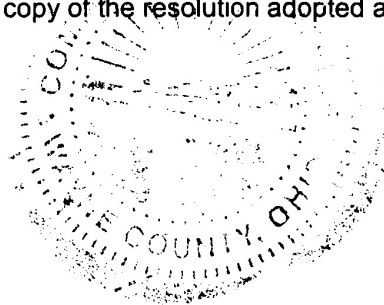
Section 3. The Board authorizes, separately and individually, the Commissioners' Admin. Counsel and Commissioners' Admin. Counsel's Legal Assistant to provide legal publication and notice to abutting property owners in accordance with ORC §5553.05.

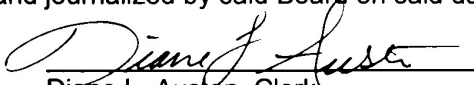
Section 4. The Board hereby instructs the Wayne County Engineer to make an accurate survey and plat of the partial vacation and furnish an accurate and detailed description describing therein the center line and right of way lines in accordance with ORC §5553.06.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter yea Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.




Diane L. Austen, Clerk



202300003178

BK 33 PG 381

March 29, 2023

The Board of Wayne County Commissioners met for **Public Hearing** with Commissioners Sue A. Smal, Jonathan Hofstetter, and Ron Amstutz in attendance re: **Vacation in Chester Township.**

There was no one in attendance to be sworn in by Diane Austen, Clerk of the Board of Commissioners.

Supporting Testimony:

Jonathan Hofstetter:

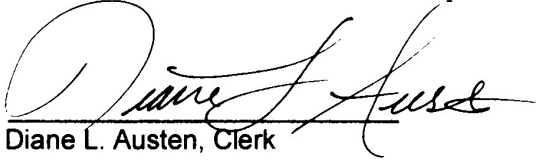
Explained that this was in order to reduce the right of way to a normal width and give land which is just a grassy area back to the landowner. This was needed due to the right of way not being adjusted when the road was relocated.

Opposing Testimony:

Wayne County Engineer (Engineer) had no objections at Viewing.

Receiving no other requests to comment; the hearing was adjourned.

Attest:


Diane L. Austen, Clerk



202300003178

BK 33

PG 382




This Conveyance has been examined and the
Grantor has complied with Section 319 202
Of the Revised Code.

FEE \$
EXEMPT ✓

JARRA L. UNDERWOOD, County Auditor

AMT. PD 0 DATE 4/10/23

JARRA L. UNDERWOOD, AUDITOR

 DEPUTY
Diane Schreiner

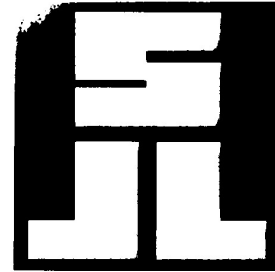


202300003178

BK 33

PG 383

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



BOUNDARY DESCRIPTION OF 0.856 ACRE PARCEL

EW-2745

Situated in the Township of East Union, T-16N; R-12W, Northeast Quarter of Section 11,
County of Wayne and State of Ohio:

Known as being part of lands conveyed to LTW Investments, LLC in O.R. 943; Page 3869 of
Wayne County Official Records and further bounded and described as follows;

Commencing at a record pin at the southwest corner of said Northeast Quarter and in Carr Road
(C.R. 94A);

Thence S 88° 48' 43" W, 1295.54 feet along the south line of said Quarter Section to a stone
found at a southeast corner of lands conveyed to Matthew Troyer as recorded in O.R. 941; Page
4012 of said Official Records;

Thence N 00° 22' 52" W, 808.06 feet along an east line of said Troyer lands and an east line of
lands conveyed to Winepress Holdings, LTD in O.R. 939; Page 2633 of said Official Records to
a capped pin with I.D. cap marked "ROLLING & LEWIS" found on the existing south right-of-
way line of East Lincolnway (C.R. 30A) and the principal place of beginning of the parcel herein
described:

THENCE WITH THE FOLLOWING SIX (6) COURSES:

1. continuing N 00° 22' 52" W, 42.76 feet along an east line of lands conveyed to said
Winepress Holdings to a 5/8" rebar with I.D. cap marked "SJL INC" set on a new south
right-of-way line of said East Lincolnway;
2. N 67° 22' 19" E, 375.97 feet along a new south right-of-way line of said East
Lincolnway to a 5/8" rebar with I.D. cap marked "SJL INC" set;
3. N 56° 04' 33" E, 45.70 feet along a new south right-of-way line of said East Lincolnway
to a 5/8" rebar with I.D. cap marked "SJL INC" set;

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



202300003178

BK 33 PG 384

Page 2 (Description 0.856 ac.)

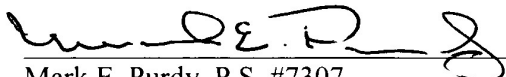
4. **N 67° 22' 19" E, 425.00** feet along a new south right-of-way line of said East Lincolnway to a 5/8" rebar with I.D. cap marked "SJL INC" set on a west line of lands conveyed to Daniel L. Troyer in O.R. 917; Page 2083 of said Official Records;
5. **S 00° 33' 17" W, 52.79** feet along a west line of said Troyer lands to a 5/8" rebar with I.D. cap marked "SJL INC" on the existing south right-of-way line of said East Lincolnway;
6. **S 67° 22' 19" W, 841.20** feet along the existing south right-of-way line of said East Lincolnway to the place of beginning and containing within said bounds **0.856** acres of land, more or less, and subject to all legal highways and easements of record.

This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in February of 2023.

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 XX ; Page 449 for survey.

Permanent Parcel Number: OUT OF 27-01756.000


Mark E. Purdy, P.S. #7307





202300003178
BK 33 PG 385

EW-2745-closure.docx

Inverse With Area			Wed Nov 9 07:43:29 2022		
PntNo	Bearing	Distance	Northing	Easting	Description
PP			411747.00	2165166.32	
	N 00°22'52" W	42.76			
PP			411789.75	2165166.03	
	N 67°22'19" E	375.97			
PP			411934.41	2165513.06	
	N 56°04'33" E	45.70			
PP			411959.92	2165550.99	
	N 67°22'19" E	425.00			
PP			412123.43	2165943.27	
	S 00°33'17" W	52.79			
PP			412070.65	2165942.76	
	S 67°22'19" W	841.20			
PP			411747.00	2165166.32	

Closure Error Distance> 0.0000
Total Distance Inversed> 1783.42
Area: 0.856 AC., 37293.6 SF.

XX-449

Approved by Wayne County Commissioners, and accepted by Resolution 2003-181 wherein that portion of Lincoln Way East (formerly U.S. 30) containing 0.856 Acres, as shown hereon, is hereby vacated by the Commissioners of Wayne County, Ohio.

SUE SMALL

7-2

1. 1.5

SCOTT MILLER

3. Answers

Wayne County Map Office
STACY BENARD

SIACI FEFARD

Wayne County Auditor

Wayne County Auditor's
Diane Schir

Filed for record in Wayne

JANE CARMICHAEL, REC

DATE _____

INSTRUMENT #

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correct to the best of my knowledge.

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#7307

11/10/01

ER, JOHNSON, LLC
& ASSOCIATES

Consulting Engineers & Surveyors

3477 Commerce Parkway, Suite 200
 San Diego, CA 92108
 Tel: 619 594 9400
 Fax: 619 594 9401
 Email: info@hewlett.com

Wooster, Ohio 44691
EAY (330) 345-6775

SKED	SCALE
1" = 100'	

	= 100
JOB NO.	EW 974E

JOB NO: **EW-2/43**

XX-449

202300003178
BK 33 PG 386

12W,
-12W,
OHIO
WAY)

OF
N OF

Approved by Wayne County Commissioners, and accepted by Resolution 2023-181, wherein that portion of Lincoln Way East (formerly U.S. 30) containing 0.856 Acres, as shown hereon, is hereby vacated by the Commissioners of Wayne County, Ohio.

this 5th day of April, 2023

Approved for Recording:
this 13th day of February, 2023.
JONATHAN HOFSTETER
RON AMSTUTZ

Approved:
this 13th day of February, 2023.
Wayne County Engineer
SCOTT MILLER
Wayne County Map Office
STACY PEPARD

Transferred:
this 10th day of April, 2023
Wayne County Auditor's Office
Diane Scirevino

Filed for record in Wayne Co., Ohio

Document
number 123456789
is not
in
the
Wayne County
Recorder's
Office is not
are missing.

AUDITOR: -C-
RECORDED:
TOTAL:

DATE: AT
INSTRUMENT #
PLAT VOL. PAGE
FEE \$

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

DMG 10M-2745-Base JOB NO. EW-2745 SHEET 1 OF 1

Mark E. Purdy, P.S. #7307 Date 2-7-23

OF OHIO
SURVEYOR
PURITY
7307
MARK E. PURDY