

RESOLUTION APPROVING UTILITY EASEMENT FOR PURPOSES OF WATER BOOSTER STATION INFRASTRUCTURE AND OPERATIONS ON LENOX NEW LYME RD, JEFFERSON TOWNSHIP, ACDES

WHEREAS, Doug Starkey, Director of Ashtabula County Department of Environmental Services (ACDES) has presented a Utility Easement agreement for the approval of the Board; and

WHEREAS, Pasquale Martuccio (grantor) has entered into an agreement with Ashtabula County and ACDES for a permanent utility easement for the purposes of building and operating a new water booster station within legally described boundaries; and

WHEREAS, Payment of \$15,000.00 has been agreed and will be paid to the grantor for the following parcel:

<u>Name:</u>	<u>Parcel No.</u>
Pasquale Martuccio	25-029-00-038-00

WHEREAS, all terms and conditions are outlined in the Utility Easement and are in full force and effect; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio that the Agreement for the Utility Easement is hereby approved by this Board as outlined above and in accordance with the copy of the easement now on file.

BE IT FURTHER RESOLVED that the President of the Board, on behalf of the Board of Commissioners of Ashtabula County, is authorized to execute any and all necessary documents.

**ASHTABULA COUNTY COMMISSIONERS
CERTIFICATION PAGE**

Resolution No. 2025-151

March 18, 2025

RESOLUTION APPROVING UTILITY EASEMENT FOR PURPOSES OF WATER BOOSTER STATION INFRASTRUCTURE AND OPERATIONS ON LENOX NEW LYME RD, JEFFERSON TOWNSHIP, ACDES


Upon the motion of Kathryn L. Whittington, seconded by Casey R. Kozlowski.

VOTE:

J.P. Ducro IV	Aye
Casey R. Kozlowski	Aye
Kathryn L. Whittington	Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



Crystal Sturgill, Clerk of the Board *Acting*
Board of County Commissioners
Ashtabula County, Ohio

**PERMANENT GRANT OF EASEMENT FOR CONSTRUCTING, MAINTAINING,
OPERATING AND REPAIRING WATER BOOSTER STATION IN THE COUNTY OF
ASHTABULA, OHIO**

KNOW ALL MEN BY THESE PRESENTS, Pasquale Martuccio ("Grantor"), in return for sufficient consideration, does hereby give, grant and convey unto the Board of Commissioners of Ashtabula County, Ohio, and to their officers, agents, employees, successors and assigns, including but not limited to the Ashtabula County Department of Environmental Services ("Grantee"), a non-exclusive, perpetual right-of-way and Easement for the right to construct, install, repair, replace, relay, maintain, operate and inspect a water booster station and necessary appurtenances thereto, and forever to have and to hold such right for the purpose and conditions herein set forth (the "Easement") over and through the real estate described in EXHIBIT A.

Affecting Permanent Parcel No. **PP#25-029-00-038-00**

Grantor may fully use and enjoy the said premises, except for the purposes granted to Grantee and provided that the Grantor shall not construct nor permit to be constructed any house, structures or obstructions on or over the property described in this Easement, or that will interfere with the construction, maintenance or operation of the water booster station or appurtenances constructed hereunder.

This Easement is granted on the express condition that Grantee shall, after the construction of said water booster station and all subsequent alterations or repairs thereunto, restore all property belonging to the Grantor, except buildings or other structures (excluding fences and landscaping) in the permanent Easement to its original condition and shall promptly compensate Grantor for any property damaged or destroyed by Grantee, except buildings or other structures (excluding fences and landscaping) located in this Easement which cannot be restored to their original condition as a result of said construction, maintenance, repair, or removal of said water booster station.

IN WITNESS WHEREOF, the Grantor does hereby set his hand this 13th day of March, 2024.

GRANTOR:

By: Pasquale Martuccio

Pasquale Martuccio

State of Ohio)
) SS
County of Ashtabula)

BE IT REMEMBERED, that on the 13th day of March, 2024, the foregoing Grantor(s), who are known to me or who were identified by satisfactory evidence, executed and acknowledged the foregoing instrument before me, a notary public.

Notary Public Stephanie Valentine

Print Name Stephanie Valentine

Commission Expires 08/24/25



STEPHANIE VALENTINE
Notary Public
State of Ohio
Recorded in Ashtabula County
My Commission Expires
August 24, 2025

Department of Environmental Services
Water Distribution
Wastewater Collection & Treatment

Douglas G Starkey, Director



Board of Commissioners
Kathryn L. Whittington, President
JP Ducro IV, Vice President
Casey Kozlowski

Date: March 13, 2025

Re: Easement for Parcels No. PP # 25-029-00-038-00

Ashtabula County needed a parcel of land for a new water booster station and had an agreement for an easement along State Route 307, that had been agreed to by the owner for the amount of \$15,000.00. This owner then changed their mind and requested \$30,000.00. The County searched for additional site, including contacting another parcel at the intersection, that did not have interest and contacted parcel no. 25-029-00-038-00. This location will improve the booster station operations by allowing two supply feeds into the booster station. The Board of County Commissioners requested a review and appraisal of the property. The appraisal came back as expected, low, and O. R. Colan and Associates, LLC provided a high-level opinion, based on their experience with public infrastructure projects. Their opinion shows the value, for the County, at or above the \$15,000.00 for the current parcel.

For sufficient consideration regarding grant of an easement on parcel no. 25-029-00-038-00, the Board of Commissioners of Ashtabula County will;

- 1) Authorize the sum of \$15,000.00 for this permanent easement.

Note: This document will be entered into the County Prosecutors MATRIX portal.

Grantor:
Pasquale Martuccio

By: 

Print Name: PASQUALE MARTUCCIO

Date: March 13, 2025

Ashtabula County Board of Commissioners


J. P. Ducro IV, Board President

Date: 3-18-25

**DESCRIPTION OF WATER BOOSTER STATION EASEMENT
(OVER AND THROUGH LAND OF PASQUALE MARTUCCIO
PARCEL NO.25-029-00-038-00)**

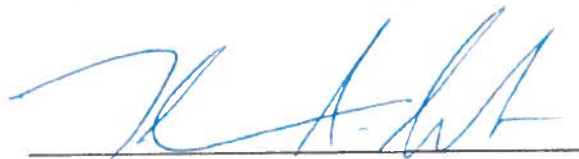
Situated in the Township of Jefferson, County of Ashtabula, and State of Ohio, and known as being an easement for the construction and operation of a water booster station, part of Original 8 Acre Farm Lots 203, 211, 212, 213, 214, 221, 222, 223, and 224, Range 3, Township 11 of the Connecticut Western Reserve, and more particularly being a part of the premises conveyed to Pasquale Martuccio by deed recorded in Volume 740, Page 1664 of the Ashtabula County Records, and is further bounded and described as follows:

Beginning at a 5/8-inch illegible capped iron pin found at the northwest corner of land conveyed to Samuel K Hill by deed recorded in Volume 694, Page 1876 of the Ashtabula County Records, and also being the easterly right of way line of Lenox New Lyme Road (County Road No. 21, Section P, 60 feet wide) through said Martuccio property;

- COURSE I Thence North 01°01'22" West, along said easterly right of way line of Lenox New Lyme Road, 46.50 feet to a point therein;
- COURSE II Thence North 88°28'31 East, along a line parallel to the northerly line of said land conveyed to Samuel K Hill, 55.00 feet to a point;
- COURSE III Thence South 01°01'22" East, along a line parallel to said easterly right of way line of Lenox New Lyme Road, 46.50 feet to a point in said northerly line of land conveyed to Samuel K Hill;
- COURSE IV Thence South 88°28'31" West, along said northerly line of land conveyed to Samuel K Hill, 55.00 feet to the Point of Beginning containing 0.0588 amount of acres (2,560 square feet) of land calculated and described in October 2024 by CT Consultants, Inc. Subject to all existing easements and legal highways;

Bearings contained herein are based on Grid North (North 0°00'00" East) from GPS observations utilizing the Ohio State Plane Coordinate System (North Zone), Horizontal Datum NAD83 (2011 adj.)

The above-described area is a part of Ashtabula County Auditor's Parcel No. 25-029-00-038-00.



Thomas M. Meeks
Ohio Registered Surveyor No. 8674
October 22, 2024



EXHIBIT A

EXHIBIT A

WATER BOOSTER STATION

SITUATED IN THE TOWNSHIP OF JEFFERSON, COUNTY OF ASHTABULA, AND STATE OF OHIO, AND KNOWN AS BEING AN EASEMENT FOR THE CONSTRUCTION AND USE OF A WATER BOOSTER STATION, UPON A PART OF ORIGINAL 8 ACRE FARM LOTS 203, 211, 212, 213, 214, 221, 222, 223, AND 224, RANGE 3, TOWNSHIP 11 OF THE CONNECTICUT WESTERN RESERVE, AND MORE PARTICULARLY BEING A PART OF THE PREMISES CONVEYED TO PASQUALE MARTUCCIO BY DEED RECORDED IN VOLUME 740, PAGE 1664 OF THE ASHTABULA COUNTY RECORDS



SCALE IN FEET
0 20 40

BASIS OF BEARINGS
THE BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH (NORTH 0°00'00" EAST) FROM GPS OBSERVATIONS UTILIZING THE OHIO STATE PLANE COORDINATE SYSTEM (NORTH ZONE) HORIZONTAL DATUM NAD83 (2011 ADJ.)

NOTES:

1. RECORDS SHOWN HEREON ARE FROM THE ASHTABULA COUNTY RECORDER'S OFFICE.
2. EASEMENTS AND/OR RIGHT-OF-WAYS WERE NOT ADDRESSED DURING THIS SURVEY OTHER THAN SHOWN HEREON.
3. THIS IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY.

LEGEND

---	EXISTING CENTERLINE
- - - -	EXISTING RIGHT OF WAY
---	EXISTING PROPERTY LINE
---	PROPOSED EASEMENT
☒	MONUMENT BOX FOUND
○	IRON PIPE FOUND
○	IRON PIN FOUND

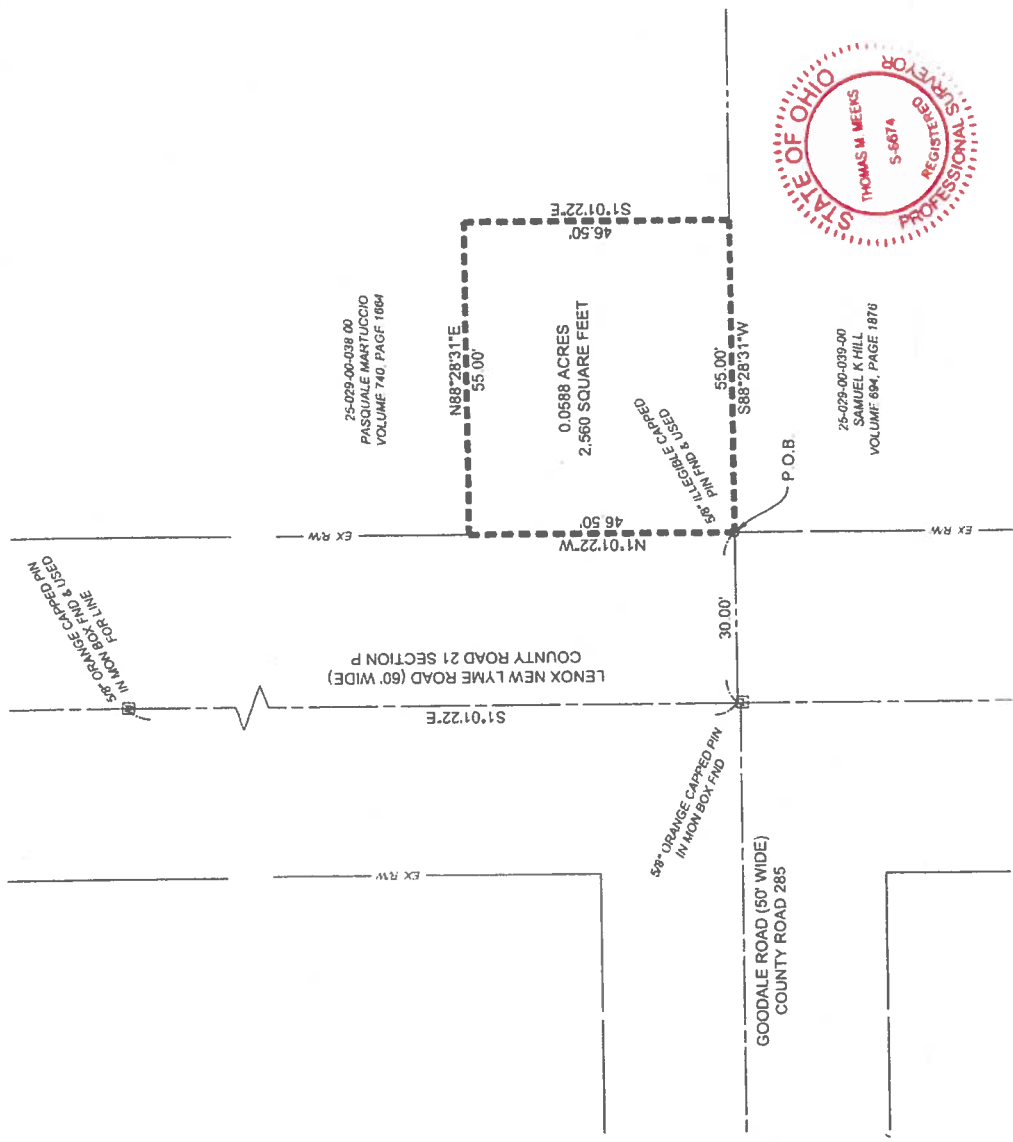
CERTIFICATION:

I HEREBY CERTIFY THAT THIS EXHIBIT DEPICTS THE CORRECT REPRESENTATION OF THE LAND AS DETERMINED FROM EXISTING RECORDS & MINIMAL FIELD SURVEY WORK. THIS EXHIBIT IS NOT INTENDED TO BE A BOUNDARY SURVEY AND DOES NOT MEET THE STANDARDS OUTLINED AND DEFINED BY CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE.

DATE 10/22/21

THOMAS M. MECKS

OHIO REGISTRATION/LICENSE NO. 8674



WATER BOOSTER STATION	
JEFFERSON TOWNSHIP ASHTABULA COUNTY, OHIO	
EASEMENT EXHIBIT	
PROJECT NO.	232009
SURVEY	
EXHIBIT	
SHEET	1
OF	1



DESIGNED BY	ACA
DRAWN BY	ACA
CHECKED BY	TMF
SCALE	AS SHOWN
DATE	10/22/21
REVISION	


FISCAL OFFICER'S CERTIFICATE

5705.41 O.R.C.

The undersigned, County Auditor of Ashtabula County, hereby certifies that the amount required to meet the obligations of the County during the 2025, under the Agreement, has been lawfully appropriated for that purpose, and is in the Treasury of the County or in the process of collection to the credit of the following funds: 6002

In the amount of \$15,000 for year 2025 and free from any previous encumbrances.

Agreement Title: Easement for Lenox New Lyme Water Booster Station



Scott Yamamoto, Ashtabula County Auditor

Contact: Doug Starkey, ACDES Director

Date: March 12, 2025