

**CITY OF KIRTLAND**

**RESOLUTION NUMBER 20-R-44**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A  
QUIT CLAIM DEED TO CONSOLIDATE TWO CITY-  
OWNED PARCELS ON CHARLESDERRY ROAD, AND  
DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kirtland owns two parcels of land on Charlesderry Road, those being Permanent Parcel Number 20-A-014-A-00-021-0 and 20-A-014-0-00-001-0; and

**WHEREAS**, due to topography and other factors, the two parcels possess a greater value should they be consolidated into one combined parcel; and

**WHEREAS**, in order to effectuate the consolidation of the two parcels, the City of Kirtland must execute a quit claim deed to itself with said consolidation of parcels. The quit claim deed and survey are attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, due to the current state of emergency in Ohio and the governor's current stay at home order stemming from the COVID-19 pandemic, the Kirtland Community Center has been closed to protect both the community and the staff from potential infection; and

**WHEREAS**, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

**WHEREAS**, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

**SECTION 1:** The Mayor is hereby directed to and authorized to sign and execute a quit claim deed to the City of Kirtland consolidating two city-owned parcels on Charlesderry Road, those being permanent parcel numbers 20-A-014-A-00-021-0 and 20-A-014-0-00-001-0, said quit claim deed is attached hereto and specifically made a part hereof as Exhibit A.

**SECTION 2:** The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and requires the following:

1. The Clerk of Council is hereby directed to post the enacted legislation in City Hall and the Kirtland Public Library for fifteen (15) consecutive days after the effective date of this legislation; and
2. Due to the closure of the Kirtland Community Center, the Clerk of Council is not required to post said enacted legislation in that location; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland's website for fifteen (15) consecutive days after the effective date of this legislation.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 4:** This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, comfort, prosperity, morals and general welfare of the City, and for the further reason that it is necessary to consolidate these parcels for the general welfare of the City to attain a greater value for a potential sale in the current housing market; wherefor, this Resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_  
 Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
 President of Council

Submitted to the Mayor for his  
 Approval on this \_\_\_\_\_ day of  
 \_\_\_\_\_, 2020.

ATTEST:

Approved by the Mayor on this \_\_\_\_  
 day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
 Clerk of Council  
 Quit Claim to Consolidate Charlesderry Parcels

\_\_\_\_\_  
 Mayor Kevin F. Potter

**QUIT-CLAIM DEED**

**THE CITY OF KIRTLAND BY KEVIN POTTER, ITS MAYOR**, for valuable consideration paid, quit-claims to **THE CITY OF KIRTLAND**, the following real property:

Situated in the City of Kirtland, County of Lake, and State of Ohio:

And known as being all of Sublot No. 37 in the Temple View Allotment of part of Original Kirtland Township Lot No. 11, Tract 2 as shown by the plat recorded in Volume F, Page 71 of Lake County Map Records and more lands in said Lot No. 11 Tract 2 (PPN 20A014A000010) and now known as Parcel A in a Lot Consolidation for the City of Kirtland as shown by the plat recorded in Volume F, Page 71 of Lake County Map Records and further bounded and described as follows:

Beginning on the centerline of Chillicothe Road (60 feet wide) at the Northwesterly corner of said Temple View Allotment;

Thence N 86°25'00" E, (passing through a 5/8" iron pin monument found at 32.55 feet and at 990.66 feet a 5/8" iron pin found ) a distance of 1,220.71 feet along the northerly line of said Temple View Allotment which is also the Lot Line between Lot 44, Tract 1 and Lot 11 Tract 2, and also Lot 45 Tract 1 and Lot 11 Tract 2 to a 5/8 " iron pin set angle point therein, also referenced by a 3/4" iron pin found 3.00 feet south and 0.97 feet east;

Thence S 84° 43' 21" E, along said northerly line of the Temple View Allotment, a distance of 19.46 feet to an iron pin set at the northwest corner of said Sublot No. 37 and the principal place of beginning of the premises herein intended to be described;

Course No. 1 - Thence continuing S 84°43'21" E, along the northerly line of said Sublot No. 37 and the Lot Line between said Lot 45 Tract 1 and Lot 11 Tract 2, a distance of 200.55 feet to the northwesterly corner of land conveyed to Lake MetroParks (PPN 20A0140000020) by deed recorded in Volume 1133 Page 634 of Lake County Deed Records, referenced by a 5/8" iron pin found 0.28 feet south (ID: Zaranac);

Course No. 2 - Thence S 3°35'00" W, a distance of 158.50 feet to 5/8" iron pin found (ID: Zaranac);

Course No. 3 - Thence N 86°25'00" W, a distance of 50.47 feet to an iron pin set;

Course No. 4 - Thence S 3°35'00" W, a distance of 20.00 feet to a 5/8" iron pin set at the northeasterly corner of Sublot No. 40 conveyed to Andrew & Susan Loncar by Document No. 2018R016868 (PPN 20A014A000220 in said Temple View Allotment);

Course No. 5 - Thence N 86°25'00" W, along the northerly line of land conveyed to said Andrew & Susan Loncar which is also the northerly lines of said Sublot No. 40 and Sublot No. 38 in said Temple View Allotment, a distance of 100.00 feet to an iron pin set at the northwesterly corner thereof;

Course No. 6 - Thence N 3°35'00" E, a distance of 40.00 feet to a 5/8" iron pin set at the southeasterly corner of said Sublot No. 37;

Course No. 7 - Thence N 86°25'00" W, along the southerly line of said Sublot No. 37, which is also the northerly line of Charlesderry Road (40 feet wide), a distance of 50.00 feet to a 5/8" iron pin set at the southwest corner thereof;

Course No. 8 - Thence N 3°35'00" E, along the westerly line of said Sublot No. 37, which is also the easterly line of land conveyed to Assaad Tony Elnahas (PPN 20A014A000180) by Document No. 2013R028332, a distance of 144.43 feet to the principal point of beginning and containing 0.7660 acres of land (33369 sq. ft.) as surveyed and described by John E. Jansky, Registered Surveyor No. 6440 of the C.W. Courtney Co. in August, 2020 be the same more or less and subject to all legal highways and easements of record.

Basis of bearing cited within the above description are referenced to those described in said Temple View Allotment.

All iron pins set are 5/8" rebar (30" in length) with plastic cap (I.D. C.W. Courtney 7702).

Property Address: CHARLESDERRY KIRTLAND

Tax Mailing Address: 9301 CHILLICOTHE ROAD, WILLOUGHBY, OHIO 44094

Permanent Parcel Number: 20A-014-A-00-001-0 and 20A-014-0-00-021-0

Prior Instrument Reference: 2009R009849

Executed by **THE CITY OF KIRTLAND BY KEVIN POTTER, ITS MAYOR** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**THE CITY OF KIRTLAND**

\_\_\_\_\_  
**By: KEVIN POTTER**  
**Its: MAYOR**

State of \_\_\_\_\_  
County of \_\_\_\_\_

Before me, a notary public in and for said county and state, personally appeared the above-named **THE CITY OF KIRTLAND BY KEVIN POTTER, ITS MAYOR** who acknowledged that he did sign the foregoing instrument on behalf of **THE CITY OF KIRTLAND** and that the same is his free act and deed individually and as such officer.

This is an acknowledgment, no oath or affirmation was administered.

TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
NOTARY PUBLIC

This document was prepared by:  
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