

(Mayor Potter)

CITY OF KIRTLAND

ORDINANCE NUMBER 21-O-6

AN ORDINANCE AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE SALE OF REAL PROPERTY LOCATED ON CHARLESDERRY ROAD THAT IS OWNED BY THE CITY OF KIRTLAND, OHIO PURSUANT TO OHIO REVISED CODE SECTION 721.03, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kirtland owns real estate located on Charlesderry Road in the City of Kirtland, Ohio, which is identified as Parcel I.D. No. 20-A-014-0-00-037-0, said real estate is more appropriately described in the attached Exhibit A attached hereto and incorporated; and

WHEREAS, said real estate is not needed for any municipal purpose and the Council of the City of Kirtland desires to offer said real estate for sale in a manner authorized by law; and

WHEREAS, this Council, pursuant to Ohio Revised Code § 721.03, desires to sell the Real Estate to the highest bidder, after advertisement once a week for five (5) consecutive weeks in a newspaper of general circulation within the City of Kirtland, Ohio; 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, due to the current state of emergency in Ohio stemming from the COVID-19 pandemic, at some point City Hall, the Kirtland Public Library, and the Kirtland Community Center have been closed in order to protect both the community and the staff from potential infection; and

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

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

SECTION I: It is hereby found that the Real Estate with Parcel ID of 20-A-014-0-00-037-0, more fully described in Exhibit A attached hereto and incorporated herein by reference, currently owned by the City of Kirtland is not needed for any municipal purpose and that it is in the best interest of the City that said property be sold.

SECTION II: The Mayor or his designee is directed and authorized to advertise for sale bids to sell the Real Estate.

SECTION III: The Finance Director for the City of Kirtland is hereby instructed and directed to cause legal notice to bidders to be published once a week for five (5) consecutive weeks in a newspaper of general circulation within the City of Kirtland, Ohio.

SECTION IV: At its next regular meeting following the advertisement for bids as provided by law and public bid opening, this Council may authorize the Mayor to execute a contract for sale in Quitclaim Deed conveying the Real Estate to the highest bidder responding fully to the advertisement for bids. This Council may reject any bids and re-advertise until the Real Estate is sold.

SECTION V: 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 instead requires the following:

1. If City Hall, the Kirtland Public Library, and/or the Kirtland Community Center are open on the effective date of this enacted legislation, then the Clerk of Council is hereby directed to post the enacted legislation for fifteen (15) consecutive days after its effective date in each facility; and
2. Should any of the facilities listed above be closed on the effective date of the enacted legislation, then the Clerk of Council is not required to post the enacted legislation in that facility; 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 VI:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to sell unnecessary real estate supplement the City's finances; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance 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
_____, 2021.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2021.

Clerk of Council
Charlisederry Bid for Sale

Mayor Kevin F. Potter

LEGAL DESCRIPTION OF PPN 20-A-014-0-00-037-0

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;

LEGAL DESCRIPTION OF PPN 20-A-014-0-00-037-0

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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 southwesterly 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: 20-A-014-0-00-037-0

Prior Instrument Reference: 2009R009849

ACCEPTANCE

The City of Kirtland, the owner of the dues embraced within this 98 consolidation, hereby acknowledges this plat to be its free and clear, and does hereby approve and accept this plat, as shown herein.

The City of Kirtland,
By: *NORM F. PATTER, Mayor*

County of Lake

Being the Kirtland Public and for said county and state, properly entered before me, *Nancy Patis*, Mayor of the City of Kirtland, who acknowledged that he did not the foregoing instrument and that the same was his free and clear, in which I have set my hand and official seal at Kirtland, Ohio, this 20 day of October, 2006.

Nancy Patis, Mayor
Commission Expires Nov 2008

APPROVALS

APPROVED BY THE CITY ENGINEER OF THE CITY OF KIRTLAND THIS _____ DAY OF _____, 2006.

[Signature]
City Engineer
DATE

[Signature]
DATE

LOT CONSOLIDATION VOL. 69-21

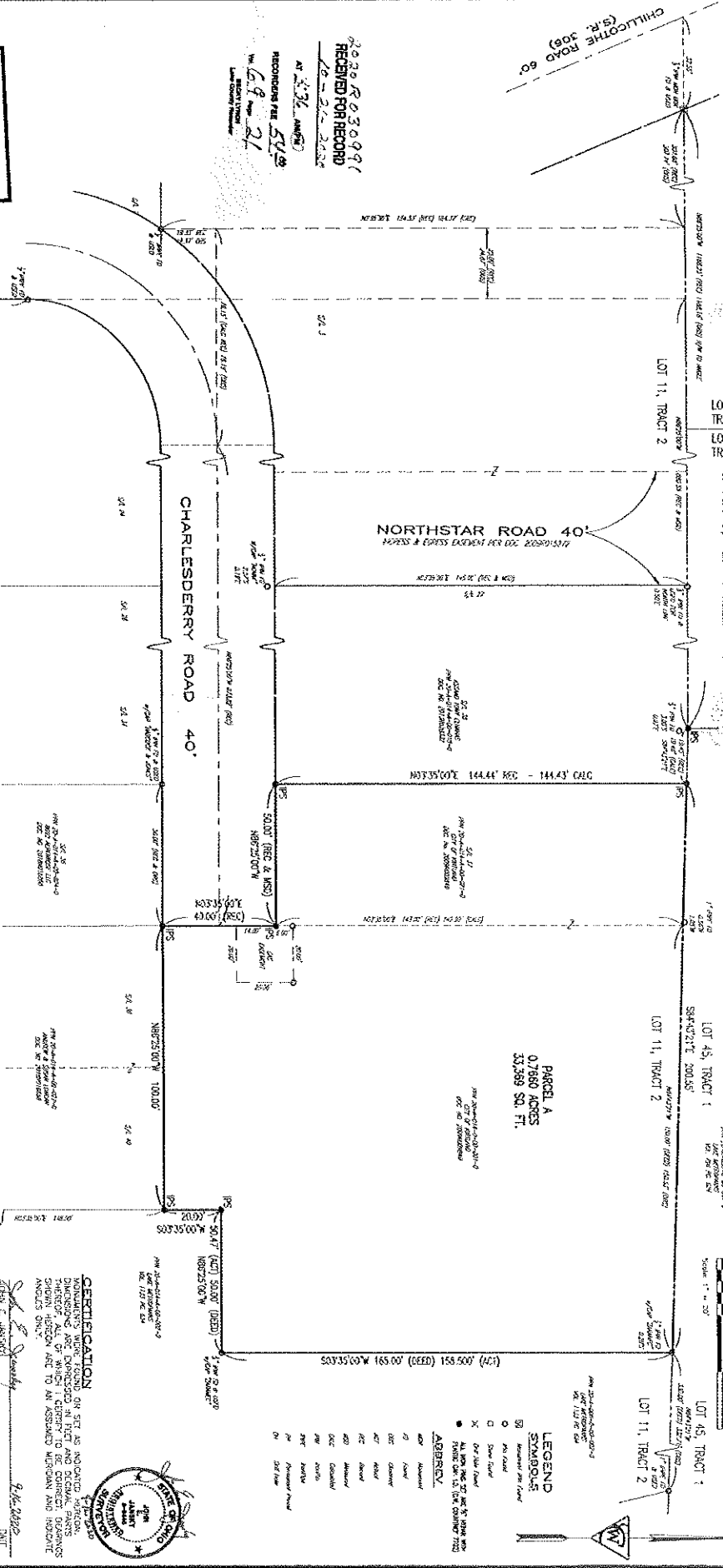
FOR THE CITY OF KIRTLAND

SITING IN THE CITY OF KIRTLAND, COUNTY OF LAKE AND STATE OF OHIO, A PART OF ORIGINAL LOT NO. 11, TRACT 2 AS SHOWN BY THE PLAT RECORDED IN VOLUME 6, PAGE 71 OF LAKE COUNTY MAP RECORDS AND MORE LAND IN SAID LOT 11, TRACT 2.

Scale: 1" = 20'

LEGEND

- Not Platted
 - Same Tract
 - × City Lot Platted
 - All Lots Platted
- APPROVED:**
- City Engineer
 - City Auditor
 - City Clerk
 - City Treasurer
 - City Assessor
 - City Inspectors
 - City Surveyors
 - City Public Works
 - City Police
 - City Fire
 - City Health
 - City Schools
 - City Parks
 - City Public Safety
 - City Planning
 - City Public Works
 - City Public Safety
 - City Police
 - City Fire
 - City Health
 - City Schools
 - City Parks
 - City Public Safety
 - City Planning



2006 063099
RECORDED FOR RECORD
AT 3:36 AM '06
RECORDING FEE \$49.00
6.8 Nov. 21

APPROVED FOR RECORDING
CHRISTOPHER A. GALLAGHER
Auditor, Lake County, Ohio

- REFERENCES:**
- 1) LAKESIDE TRACT, 7 N.E. 7th, 2nd Edition, 1968, as amended, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 2) LAKESIDE TRACT, 7 N.E. 7th, 1st Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 3) LAKESIDE TRACT, 7 N.E. 7th, 3rd Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 4) LAKESIDE TRACT, 7 N.E. 7th, 4th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 5) LAKESIDE TRACT, 7 N.E. 7th, 5th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 6) LAKESIDE TRACT, 7 N.E. 7th, 6th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 7) LAKESIDE TRACT, 7 N.E. 7th, 7th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 8) LAKESIDE TRACT, 7 N.E. 7th, 8th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 9) LAKESIDE TRACT, 7 N.E. 7th, 9th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 10) LAKESIDE TRACT, 7 N.E. 7th, 10th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 11) LAKESIDE TRACT, 7 N.E. 7th, 11th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 12) LAKESIDE TRACT, 7 N.E. 7th, 12th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 13) LAKESIDE TRACT, 7 N.E. 7th, 13th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 14) LAKESIDE TRACT, 7 N.E. 7th, 14th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.
 - 15) LAKESIDE TRACT, 7 N.E. 7th, 15th Edition, 1968, recorded in Volume 1, Page 15 of Lake County Plat Records.

[Signature]
The Approved
Lake County Engineer
Date: 10-20-2006



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