

P/C _____
CA 4-10-18
1st R 4-17-18
2nd R _____
3rd R _____
P/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11019-2018

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
APPROVING A LOT CONSOLIDATION AND SPLIT FOR NEW
CONSTRUCTION AT PERMANENT PARCEL
NOS. 344-03-076, -077, -078 (5211 West 149th Street)
LOCATED IN THE U1-A5 ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, on April 2, 2018, the Planning Commission approved and referred to Council a request approving a lot consolidation and split for new construction at permanent parcel nos. 344-03-076, -077, -078 (5211 West 149th Street); and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: The lot consolidation and split of the above permanent parcels is further described in Exhibit "A" attached hereto, and illustrated in Exhibit "B" also attached hereto and incorporated herein by reference and is hereby authorized and approved by the Council of the City of Brook Park.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption 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.

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that it is Council's desire to approve said lot consolidation and split; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: April 17, 2018

[Signature]
PRESIDENT OF COUNCIL

ATTEST: [Signature]
Clerk of Council

APPROVED: [Signature]
MAYOR

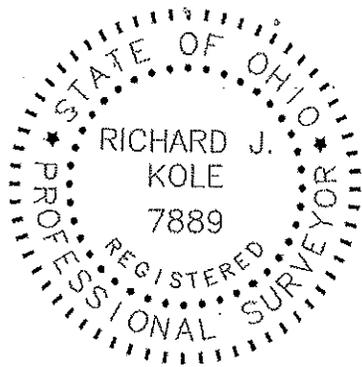
4/17/18
DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS
[Signature]
DIRECTOR OF LAW

CERTIFICATE
Michelle Blazak, Clerk of Council, of the City of Brook
Park, Ohio, do hereby certify that the foregoing is a
true and accurate copy of Ordinance/Resolution
No. 11019-2018
passed on the 17th day of April
20 18 by said council.
[Signature]
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.
(commencing April 18, 2018)
[Signature]
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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LEGAL DESCRIPTION – PARCEL 1 (0.1625 ACRES)

Situated in the City of Brook Park, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 85, and 86 and part of Sublot No. 84 in Block 3 along with one half of a vacated alley in Fairlawn Subdivision of part of Original Middleburgh Township Lot No. 6, Section No. 1 as recorded in Volume 16, Page 26 of Cuyahoga County Map Records.

Beginning at a drill hole set at the northwest corner of said Sublot No. 86 and being at the intersection of the south line of Elm Avenue, 40.00 feet wide, and the east line of West 149th Street, 50.00 feet wide;

Thence South 88°51'00" East along said south line of Elm Avenue, 109.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set at a point in the centerline of a 12 foot wide vacated alley and finding a bent 1/2" iron pin to be south 1.34 feet and east 0.05 feet;

Thence South 03°17'00" West along said centerline of the vacated alley, 65.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set;

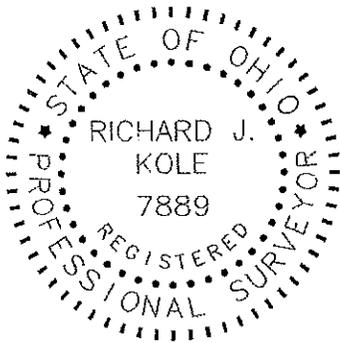
Thence North 88°51'00" West and parallel with said south line of Elm Avenue, 109.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set in said east line of West 149th Street;

Thence North 03°17'00" East along said east line of West 149th Street, 65.00 feet to the point of beginning and containing 0.1625 acres of land (7,080 square feet) as surveyed in November, 2017 by Richard J. Kole, Ohio Surveyor #7889, of R.M. Kole & Associates, Corp., Professional Land Surveyors.

Subject, however, to all legal rights-of-way of previous record.

Basis of bearings: The bearing for the centerline line of West 149th Street (North 03°17'00" East), as shown in the plat recorded in Volume 16, Page 26 of Cuyahoga County Map Records, is the reference meridian for this survey.





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LEGAL DESCRIPTION – PARCEL 2 (0.1500 ACRES)

Situated in the City of Brook Park, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 82 and 83 and part of Sublot No. 84 in Block 3 along with one half of a vacated alley in Fairlawn Subdivision of part of Original Middleburgh Township Lot No. 6, Section No. 1 as recorded in Volume 16, Page 26 of Cuyahoga County Map Records.

Beginning at a 1/2" iron pin found at the southwest corner of said Sublot No. 82 and being in the east line of West 149th Street, 50.00 feet wide;

Thence North 03°17'00" East along said east line of West 149th Street, 60.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set;

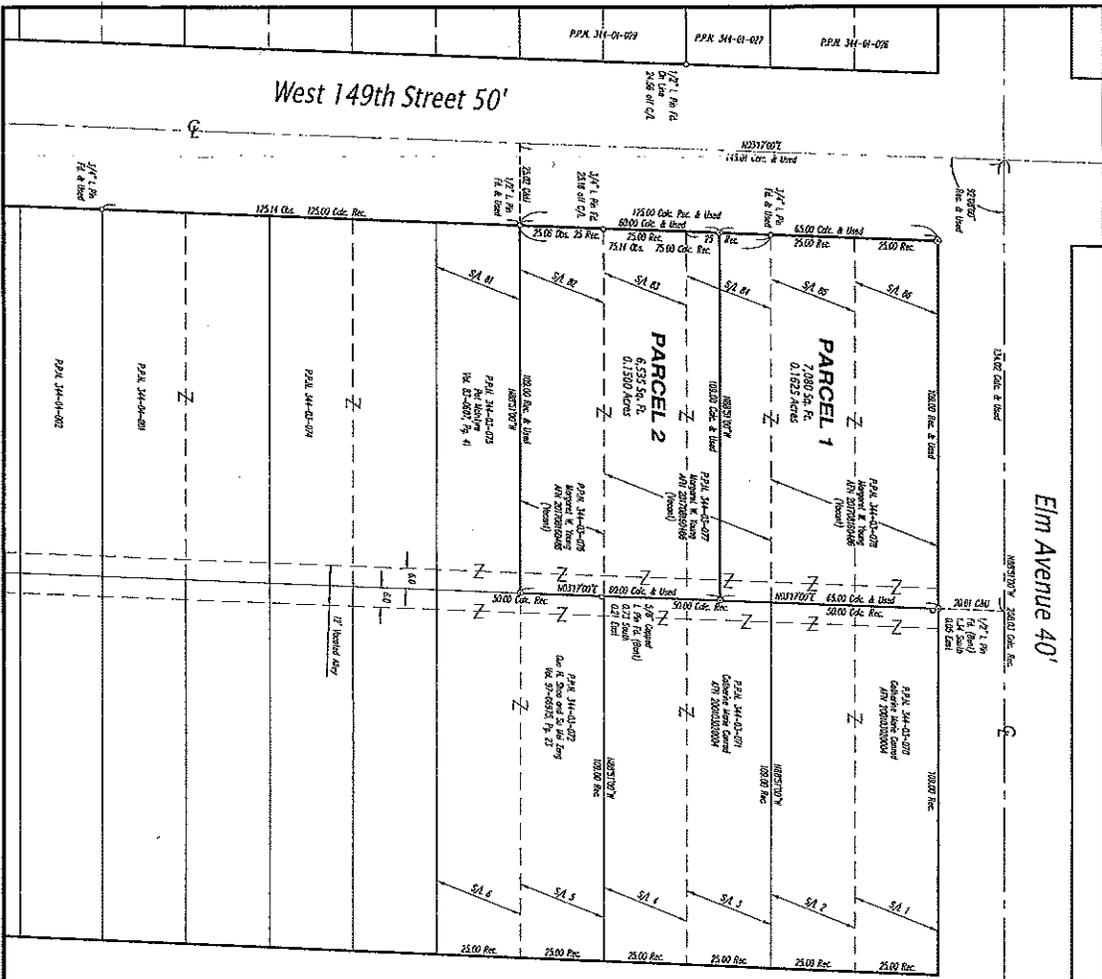
Thence South 88°51'00" East and parallel with the south line of said Sublot No. 82, a distance of 109.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set at a point in the centerline of a 12 foot wide vacated alley;

Thence South 03°17'00" West along said centerline of the vacated alley, 60.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set;

Thence North 88°51'00" West along said south line of Sublot No. 82, a distance of 109.00 feet to the point of beginning and containing 0.1500 acres of land (6,535 square feet) as surveyed in November, 2017 by Richard J. Kole, Ohio Surveyor #7889, of R.M. Kole & Associates, Corp., Professional Land Surveyors.

Subject, however, to all legal rights-of-way of previous record.

Basis of bearings: The bearing for the centerline line of West 149th Street (North 03°17'00" East), as shown in the plat recorded in Volume 16, Page 26 of Cuyahoga County Map Records, is the reference meridian for this survey.



Elm Avenue 40'

West 149th Street 50'

West 148th Street 50'

LOT SPLIT and CONSOLIDATION PLAT

All of Sublot Nos. 62, 64, 66 and 68 in Block 3 in Bitham Subdivision of part of Original Independence Township Lot No. 6, Section No. 1, as shown by the Record Plat in Volume 7 of Maps, Page 28 of Cuyahoga County Records and including any part of a roadbed strip, as appears by said plat.

Now situated in the City of Brook Park, County of Cuyahoga, Ohio.
 Dead Reference: P.P.N. 344-02-076, 344-03-077 and 344-03-078
 A.P.N. 20178560466

ACCORDANCE

(P.P.N. 344-03-076, 344-03-077 and 344-03-078)
 I, the undersigned, owner of the land shown herein, do hereby consent to and adopt this plat and surrender my part of the same.

TEMPERATURE

State of Ohio }
 County of Cuyahoga }
 I, _____, being duly sworn, depose and say that I am the owner of the land shown on this plat and that I have read and understand the contents of the same.

APPROVALS

By the Commission: _____
 By the City Engineer: _____
 By the City Council: _____

CITY ENGINEER

I, _____, City Engineer of the City of Brook Park, Ohio, do hereby certify that the plat shown herein conforms to the requirements of the City Ordinance relating to the recording of such plats.

CITY COUNCIL

I, _____, Mayor of the City of Brook Park, Ohio, do hereby certify that the plat shown herein conforms to the requirements of the City Ordinance relating to the recording of such plats.

CERTIFICATION

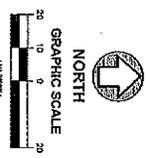
I, _____, Recorder of Deeds for the State of Ohio, do hereby certify that this plat has been duly recorded in the public records of this State.

RECORDING

This plat was recorded in the public records of the State of Ohio on this _____ day of _____, 2018.

RECORDING FEE

The fee for recording this plat is \$_____.
 The fee for recording this plat is \$_____.



FEBRUARY 16, 2018

LEGEND
○ For the Record and Plat



RIMKOLE
 10000 W. 120th St.
 Overland Park, MO 66204
 Tel: 913.881.1100