

P/C 7-2-19 Planning
SP CA 7-9-19
1st R 7-9-19 SPCAL
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 1104-2019

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE
APPROVING THE LOT CONSOLIDATION OF
PERMANENT PARCEL NOS. 342-19-004 342-19-003, 343-01-001,
342-15-005, 343-07-001, 343-02-001 and 342-18-002
LOCATED IN THE U7-B/U5-A ZONES AND THE
LOT SPLIT IN PARCEL "A" AT 17601 BROOKPARK ROAD
LOCATED IN THE U7-B ZONE AND PARCEL "B" AT
18300 SNOW ROAD LOCATED IN U5-A ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, on July 1, 2019, the Planning Commission approved and referred to Council a request to consolidate permanent parcel nos. 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001, AND 342-18-002 located in the U7-B/U5-A Zones and the lot split in to Parcel "A" at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road located in the U5-A Zone.

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

SECTION 1: The consolidation of parcels of the aforementioned property located in the U7-B/U5-A Zones and the lot split in to Parcel A at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road is further described in Exhibit "A" and illustrated in Exhibit "B" 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 the consolidation of permanent parcel nos. 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001, AND 342-18-002 located in the U7-B/U5-A Zones and the lot split in to Parcel "A" at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road located in the U5-A Zone; this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED:

July 9, 2019
Special Council

[Signature]
 PRESIDENT OF COUNCIL

ATTEST:

Michelle Blazak
 Clerk of Council

APPROVED:

[Signature]
 MAYOR

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
 DIRECTOR OF LAW

7/9/19
 DATE

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. 1104-2019 passed on the 9th day of July 2019 by said council.
Michelle Blazak
 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 July 10, 2019
Michelle Blazak
 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"/>

RESULTING LEGAL DESCRIPTIONS FOR LOT SPLIT AND CONSOLIDATION PLAT

NORTH PARCEL

BEING A PART OF SECTIONS 10, AND SECTION 11, BOTH IN MIDDLEBURGH TOWNSHIP, NOW IN THE CITY OF BROOK PARK, CUYAHOGA COUNTY, OHIO, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF BROOK PARK ROAD (100 FEET WIDE) WITH THE EASTERLY RIGHT-OF-WAY FOR THE PENN CENTRAL COMPANY RAILROAD, BEING PARALLEL WITH AND 150 FEET SOUTHEASTERLY BY RECTANGULAR MEASURE FROM THE CENTERLINE OF THE WESTBOUND HIGH SPEED MAIN TRACK OF SAID RAILROAD;

THENCE S89°12'22"E 614.78 FEET ALONG SAID CENTERLINE TO A 1" IRON PIN IN A MONUMENT BOX;

THENCE S89°18'40"E 612.38 FEET ALONG SAID CENTERLINE TO THE WEST RIGHT-OF-WAY OF HENRY FORD ROAD (90 FEET WIDE);

THENCE S03°22'09"W 2212.66 FEET ALONG SAID WEST RIGHT-OF-WAY;

THENCE N86°27'20"W 1405.25 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE;

THENCE S03°17'38"W 491.02 FEET PARALLEL WITH AND 15' EAST OF A CHAINLINK FENCE;

THENCE N86°09'46"W 1287.02 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE TO SAID EASTERLY RAILROAD RIGHT-OF-WAY;

THENCE N32°28'35"E 3013.14 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING, CONTAINING 103.88 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

SOUTH PARCEL

BEING A PART OF SECTIONS 10, AND SECTION 11, BOTH IN MIDDLEBURGH TOWNSHIP, NOW IN THE CITY OF BROOK PARK, CUYAHOGA COUNTY, OHIO, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF BROOK PARK ROAD (100 FEET WIDE) WITH THE EASTERLY RIGHT-OF-WAY FOR THE PENN CENTRAL COMPANY RAILROAD, BEING PARALLEL WITH AND 150 FEET SOUTHEASTERLY BY RECTANGULAR MEASURE FROM THE CENTERLINE OF THE WESTBOUND HIGH SPEED MAIN TRACK OF SAID RAILROAD;

THENCE S32°28'35"W 3013.14 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE TRUE POINT OF BEGINNING;

THENCE S86°09'46"E 1287.02 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE;

THENCE N03°17'38"E 491.02 FEET PARALLEL WITH AND 15' EAST OF A CHAINLINK FENCE;

THENCE S86°27'20"E 1405.26 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE TO THE WEST RIGHT-OF-WAY OF HENRY FORD ROAD (90 FEET WIDE);

THENCE S03°22'09"W 1574.22 FEET ALONG SAID WEST RIGHT-OF-WAY TO A POINT OF CURVATURE;



THENCE 659.85 FEET ALONG A CURVE TO THE RIGHT ON SAID WEST RIGHT-OF-WAY, HAVING A RADIUS OF 909.93 FEET AND CHORD BEARING AND DISTANCE OF S24°12'30"W 645.48 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY S44°59'00"W 241.47 FEET TO THE NORTHEASTERLY LINE OF A PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY AS RECORDED IN VOLUME 7429, PAGE 183;

THENCE N50°14'04"W 1294.08 FEET ALONG SAID NORTHEASTERLY LINE (SAID COURSE HAVING A BEARING OF N54°35'59"E AS DESCRIBED IN SAID DEED);

THENCE N86°59'03"W 150.42 FEET TO THE NORTHWEST CORNER OF SAID PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY;

THENCE S50°14'04"E 1406.81 FEET ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY, TO THE NORTHWESTERLY RIGHT-OF-WAY OF SNOW ROAD AS IT CURRENTLY EXISTS;

THENCE S44°59'00"W 750.41 FEET ALONG SAID SNOW ROAD RIGHT-OF-WAY TO A POINT OF CURVATURE;

THENCE 833.46 FEET ALONG A CURVE TO THE RIGHT ON SAID SNOW ROAD RIGHT OF WAY, HAVING A RADIUS OF 1001.66 FEET AND CHORD BEARING AND DISTANCE OF S68°49'14"W 809.63 FEET;

THENCE N87°20'32"W 1748.98 FEET ALONG SAID SNOW ROAD RIGHT-OF-WAY THE SOUTHWEST CORNER OF A PARCEL CONVEYED TO PARK N FLY OF CLEVELAND, INC AS RECORDED ON DOCUMENT NUMBER 200412070712 AND MONUMENTED WITH A FOUND CAPPED IRON PIN;

THENCE N02°45'43"E 798.52 FEET ALONG THE WEST LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N87°27'09"W 272.00 FEET ALONG A NORTHERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N02°32'52"E 132.53 FEET ALONG AN EASTERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N57°32'08"W 49.77 FEET ALONG A NORTHERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712 TO SAID EASTERLY RAILROAD RIGHT-OF-WAY;

THENCE N32°28'35"E 2194.59 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING, CONTAINING 208.215 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.