

CITY OF BROOK PARK, OHIO

P/C _____
CA PRIOR 7-20-21
1st R 7-20-21
2nd R _____
3rd R _____
D/C _____

RESOLUTION NO: 14-2021

INTRODUCED BY: COUNCIL AS A WHOLE

A RESOLUTION GRANTING THE LOT CONSOLIDATION OF "PARCEL 1",
"PARCEL 3" AND "PARCEL 2" (PPN 341-04-015), LOCATED IN THE U1-
A2/U6 ZONES AND DECLARING AN EMERGENCY

WHEREAS, on June 8, 2021, the Planning Commission approved and referred to Council a request for lot consolidation of "Parcel 1", "Parcel 3" and "Parcel 2" (PPN 341-04-015) located in the U1-A2/U6 zones, with the condition for approval that the applicant will have a Quit Claim Deed drafted and submitted to the City of Brook Park Law Department to obtain the Easterly 15' stretch of land vacated by the City of Brook Park shown on the parcel map; and

WHEREAS, applicant did submit a Quit Claim Deed to the City Law Department, which was approved as to form by the Law Director, endorsed by Council and signed by the Mayor.

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

SECTION 1: The lot consolidation of "Parcel 1", "Parcel 3" and "Parcel 2" (PPN 341-04-015) located in the U1-A2/U6 zones, approved by the Planning Commission on June 8, 2021, and the Quit Claim Deed is hereby authorized and approved by the Council of the City of Brook Park and is further shown in Exhibit "A".

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 to approve this lot consolidation; 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:

July 20, 2021

Mr. P. K. Kuehrie
PRESIDENT OF COUNCIL

ATTEST:

Michelle Blazak
Clerk of Council

APPROVED:

Y. J. [Signature]
MAYOR

7/20/21
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. 14-2021

passed on the 20th day of July 2021 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 five 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, #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 21, 2021
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Troyer	<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"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Polindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

[Signature]
DIRECTOR OF LAW



City of Brook Park

Michael D. Gammella, Mayor

Building Department

June 8, 2021

Charlene Klimczak
448 Park Place
Berea, Ohio 44017

This correspondence has been sent via standard USPS service. Due to recent delays in courier handling, a copy has been sent via email to the following:

klimdc@att.net

Please be advised,

The following was approved* at the City of Brook Park Planning Commission meeting held Monday June 7, 2021: Request approval for the lot consolidation of "Parcel 1", "Parcel 3" and "Parcel 2" (PPN 341-04-015) located in the U1-A2 / U6 Zones. | *with the condition that the Applicant (Charlene Klimczak, Property Owner) will have a Quit Claim Deed drafted and submitted to the City of Brook Park Law Department to obtain the Easterly 15' stretch of land vacated by the City of Brook Park, as shown on the parcel map.

This request must also go before City Council for final action. Your contact information has been forwarded to Clerk of Council, Michelle Blazak; she will be in contact with you regarding Council meeting dates and details. The mylar must also be submitted to the City to obtain proper signatures upon approval, and should include the Quit Claim Deed language.

If you require further assistance, please do not hesitate to contact the Building Department office.

Sincerely yours,

Katie Colson, Secretary
Board of Zoning Appeals / Planning Commission

THE HENRY G. REITZ ENGINEERING COMPANY

Civil Engineers & Surveyors

Stuart W. Saylor, *P.E., P.S., Pres.*
James T. Saylor, *P.E., P.S., Vice Pres.*
Linda S. Rerko, *Sec. & Treas.*

4214 Rocky River Drive
Cleveland, Ohio 44135

TELEPHONE: 216-251-3033

EMAIL: reitz@reitzeng.com

May 14th, 2021

Description of Easterly 15' of Remainder of The Village of Brook Park Volume 8082, Page 469 Property

Situated in City of Brook Park, County of Cuyahoga and State of Ohio, and known as being part of Lucille Avenue Vacation, of part of Original Middleburg Township Lot No. 4, Section 22, as shown by the recorded plat in Volume 303 of Maps, Page 69 of Cuyahoga County Records and bounded and described as follows:

Beginning at a 5/8" iron pin in a monument box found on the centerline of Lucille Avenue, 60 feet wide, at its intersection with the centerline of Cedar Point Road, 60 feet wide;

Thence S. 00d 39' 45" W., along the centerline of Lucille Avenue, a distance of 614.04 feet to the Northwestern corner of said Original Township Lot No. 4, Section 22;

Thence S. 89d 20' 15" E., along the Northerly line of said Original Township Lot No. 4, Section 22, a distance of 15.00 feet to the principal place of beginning;

Thence continuing S. 89d 20' 15" E., along the Northerly line of said Original Township Lot 4, Section 22, a distance of 15.00 feet to the Westerly line of Parcel 2 of land conveyed to Charlene D. Klimczak, by deed recorded in AFN 202011050366 of Cuyahoga County Records;

Thence S. 00d 39' 45" W., along the Westerly line of land so conveyed to Charlene D. Klimczak, a distance of 474.92 feet to the Northerly of a parcel of land conveyed to Techpark Limited Partnership, by deed recorded in AFN 201510080691 of Cuyahoga County Records;

Thence N. 89d 03' 10" W., along the Northerly line of land so conveyed to Techpark Limited Partnership, a distance of 15.00 feet to a point distant S. 89d 03' 10" E., 15.00 feet from the Westerly line of said Original Township Lot No. 4, Section 22;

Thence N. 00d 39' 45" W., parallel to and 15.00 feet from the Westerly line of said Original Township Lot No. 4, Section 22, a distance of 474.84 feet to the principal place of beginning and containing 0.1635 acres (7,123 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028; dated November, 2020, be the same more or less, but subject to all legal highways and easements of record.

All bearings are based on Lucille Avenue having a bearing of N. 00d 39' 45" E., and are used to denote angles only.

THE HENRY G. REITZ ENGINEERING COMPANY

Civil Engineers & Surveyors

Stuart W. Saylor, *P.E., P.S., Pres.*
James T. Saylor, *P.E., P.S., Vice Pres.*
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Cleveland, Ohio 44135

TELEPHONE: 216-251-3033

EMAIL: reitz@reitzeng.com

May 14th, 2021

Description of Parcel K

Situated in City of Brook Park, County of Cuyahoga and State of Ohio, and known as being part of Original Middleburg Township Lot No. 3, Section 21, Original Middleburg Township Lot No. 4, Section 22, and Original Olmsted Township Lot No. 36, Tract 6, together forming a parcel of land bounded and described as follows:

Beginning at a 5/8" iron pin in a monument box found on the centerline of Lucille Avenue, 60 feet wide, at its intersection with the centerline of Cedar Point Road, 60 feet wide;

Thence S. 00d 39' 45" W., along the centerline of Lucille Avenue, a distance of 456.29 feet to a 5/8" capped (Reitz Eng) iron pin found at the Southerly end which point is also the Northeasterly corner of Parcel 1 of land conveyed to Charlene D. Klimczak, by deed recorded in AFN 202011050366 of Cuyahoga County Records and the principal place of beginning;

Thence continuing S. 00d 39' 45" W., along the Easterly line of land so conveyed to Charlene D. Klimczak, a distance of 43.72 feet to a 5/8" capped (Reitz Eng) iron pin found at the Westerly prolongation of the Southerly line of a parcel of land conveyed to Russell B. Madzia, by deed recorded in AFN 201209040242 of Cuyahoga County Records;

Thence S. 89d 03' 10" E., along said Westerly prolongation and along the Southerly line of land so conveyed to Russell B. Madzia, passing through a 5/8" capped (Reitz Eng) iron pin found at 30.00 feet, a distance of 200.00 feet to a 5/8" capped (Reitz Eng) iron pin found on the Westerly line of a parcel of land conveyed to Jesse Eschuk, by deed recorded in AFN 200902030425 of Cuyahoga County Records;

Thence S. 00d 39' 45" W., along the Westerly line of land so conveyed to Jesse Eschuk, a distance of 588.80 feet to a point on the Northerly line of a parcel of land conveyed to Techpark Limited Partnership, by deed recorded in AFN 201510080691 of Cuyahoga County Records;

Thence N. 89d 03' 10" W., along a Northerly line of land so conveyed to Techpark Limited Partnership, passing through a 5/8" iron pin found at 0.33 feet, a distance of 185.00 feet to a 5/8" capped (Reitz Eng) iron pin set at a point distant S. 89d 03' 10" E., 15.00 feet from the Westerly line of said Original Township Lot No. 4, Section 22;

Thence N. 00d 39' 45" E., parallel to and 15.00 feet from the Westerly line of said Original Township Lot no. 4, Section 22, a distance of 474.84 feet to a 5/8" capped (Reitz Eng) iron pin set on the Northerly line of said Original Township Lot No. 4, Section 22;

Thence N. 89d 20' 15" W., along the Northerly line of said Original Township Lot No. 4, Section 22, a distance of 15.00 feet to the Southerly line of the Valley View Estates Subdivision No. 2, as shown by the recorded plat in Volume 110 of Maps, Page 2 of Cuyahoga County Records;

Thence N. 88d 23' 36" W., along the Southerly line of said Valley View Estates Subdivision No. 2, passing through a 1" iron pipe found at 0.17 feet, a distance of 30.00 feet to a 5/8" capped (Reitz Eng) iron pin found at the Southeasterly corner of Sublot No. 62 in said Valley View Estates Subdivision No. 2;

Thence N. 00d 39' 45" E., along the Easterly line of said Sublot No. 62, a distance of 157.25 feet to a 5/8" capped (Reitz Eng) iron pin found on the Southerly end of Lucille Avenue;

Thence S. 89d 20' 15" E., along the Southerly end of Lucille Avenue, a distance of 30.00 feet to the principal place of beginning and containing 2.6483 acres (115,360 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028 dated November, 2020, be the same more or less, but subject to all legal highways and easements of record.

All bearings are based on Lucille Avenue having a bearing of N. 00d 39' 45" E., and are used to denote angles only.

Thence N. 00d 39' 45" W., parallel to and 15.00 feet from the Westerly line of said Original Township Lot No. 4, Section 22, a distance of 474.84 feet to the principal place of beginning and containing 0.1635 acres (7,123 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028; dated November, 2020, be the same more or less, but subject to all legal highways and easements of record.

All bearings are based on Lucille Avenue having a bearing of N. 00d 39' 45" E., and are used to denote angles only.

Property Address:

Permanent Parcel No.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, her heirs and assigns forever.

In WITNESS WHEREOF, I have hereunto set my hand, the _____ day of _____, _____.

Signed and acknowledged in the presence of:

City of Brook Park, Ohio

by: _____

_____ Title

State of Ohio)
County of Cuyahoga) ss:

Before me a Notary Public in and for said County and State, personally appeared the above City of Brook Park, Ohio by: _____ who acknowledged that he/she did sign the foregoing instrument and that the same was his/her free act and deed and the free act and deed as officer of said corporation.

In Testimony Whereof, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, _____.

This instrument was prepared by the

