

ORDINANCE NO.:

2017-27

SPONSOR:

MAYOR NEUGEBAUER

INTRODUCED:

NOVEMBER 28, 2017

ASSIGNED TO: FINANCE

AN ORDINANCE TO CONVEY CITY-OWNED LAND LOCATED AT 914 EAST TURKEYFOOT LAKE ROAD IN THE CITY OF GREEN, CONSISTING OF PERMANENT PARCEL NUMBERS 2807205 AND 2807206, TO THE GREEN COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Green Community Improvement Corporation ("GCIC") is the City of Green's non-profit development corporation responsible for the purchase or sale of property for economic development purposes; and

WHEREAS, the City may convey to the GCIC any lands and interest in such lands owned by the City when determined by Council that such land is not required for municipal purposes, and the conveyance of such land and interest in such land will promote the welfare of the citizens of the City, stabilize the economy, increase employment opportunities in the City, all for the benefit of the citizens of the City; and

WHEREAS, City-owned land at 914 East Turkeyfoot Lake Road; and

WHEREAS, the City of Green has determined that the best possible use for the site would be for it to be sold and occupied as an office or retail use; and

WHEREAS, transferring the land at 914 E. Turkeyfoot Lake Road to the Green Community Improvement Corporation allows for the GCIC to professionally market this property for sale and ensure the best possible sales price for the site; and

WHEREAS, the City has determined that the City-owned land located at E. Turkeyfoot Lake Road, consisting of Permanent Parcel Numbers 2807205 and 2807206, is not needed for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

City-owned land located at 914 E. Turkeyfoot Lake Road in the City of Green, consisting of Permanent Parcel Numbers 2807205 and 2807206, is not needed for municipal purposes.

SECTION TWO:

Green City Council hereby authorizes and approves the conveyance of municipally-owned land located at 914 East Turkeyfoot Lake Road, consisting of Permanent Parcel Numbers 2807205 and 2807206, with the legal description attached hereto as Exhibit "A" and incorporated herein as if fully rewritten, to the Green Community Improvement Corporation (GCIC).

SECTION THREE:

The funds received by the City from the GCIC from the sale of the land shall be deposited into the General Fund.

SECTION FOUR:

The Mayor is hereby authorized and directed to execute a quit-claim deed transferring such land to the GCIC in such form as approved by the Law Director, and all other documents necessary to consummate this transaction.

SECTION FIVE:

That the Planning Director is hereby authorized and directed to change the City records, and file with the Summit County Fiscal Officer the quit-claim deed transferring the land, and the City Engineer is hereby directed to change the official map of the City of Green relative to said conveyance.

SECTION SIX:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SEVEN:

City Council declares this Ordinance to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths (¾ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: November 28, 2017
Molly Kapeluck
Molly Kapeluck, Clerk

Chris Humphrey
Chris Humphrey, Council President

APPROVED: 11.28., 2017
Gerard M. Neugebauer
Gerard M. Neugebauer, Mayor

COPIED
MAY FIN LAW PLAN ENG
SVCE FIRE PARK ZONE HR

ENACTED EFFECTIVE: November 28, 2017

ON ROLL CALL: Ahlstrom Aye Dyer Aye Humphrey Aye Knodel Aye
Speight Aye Summerville Absent Young Aye

Suburbanite publication on Dec 1 and Dec 8, 2017
Molly Kapeluck
Molly Kapeluck, Clerk

Adopted 6-0

11/21/2017 Approved as to form and content by Diane A. Calta, Director of Law _____



2017-27 Exhibit "A"

5X

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT: The City of Green, the Grantor(s) herein, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to be paid by the City of Green, Ohio, the Grantee herein, does hereby grant, bargain, sell, convey and release, with general warranty covenants, to said Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 5-WD

FORTUNA DRIVE EXTENSION

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Prior Instrument Reference: OR 1671, Page 1033, Summit County Recorder's Office.

And the said Grantor(s), for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner of said premises, and is lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the same against all claims of all persons whomsoever.

IN WITNESS WHEREOF, The City of Green has caused its name to be subscribed by
Mayor R.G. Norton, its duly authorized agent(s), on February 6th, 2008.

The City of Green

By: 

Title: R.G. Norton, Mayor

PPN 2807205 (GROOOO901063000)



John A Donefrico, Summit Fiscal Officer

55520730

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02/26/2008 01:58P
DE 44.00

STATE OF OHIO, COUNTY OF Summit SS:

BE IT REMEMBERED, that on the 6th day of February, 2008, before me the subscriber, a Notary Public in and for said state and county, personally came the above named R. G. Norton, who acknowledged being the duly authorized agent of The City of Green who signed or acknowledged the signing of the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Debra Talkington
NOTARY PUBLIC DEBRA TALKINGTON
My Commission expires: 5/22/12

This instrument was prepared by or on behalf of the City of Green.

TRANSFERRED

2008 FEB 26 PM 1:43

JOHN A. DONOFRIO
FISCAL OFFICER
COUNTY OF SUMMIT

#2843
TRANSFERRED IN COMPLIANCE WITH
SEC. 319.202 REV. CODE
\$ 0.00 \$ A FEE
Consideration CR
JOHN A. DONOFRIO By CR
Fiscal Officer Deputy Fiscal Officer
No. of pages 4


John A Donofrio, Summit Fiscal Officer

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02/26/2008 01:56P
DE 44.00

EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

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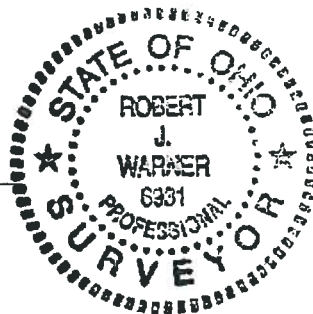
S-WD
FORTUNA_DRIVE
05/01/07

This description is based on a survey for Floyd Browne Group in December, 2006 by Robert J. Warner, P.S. No. 6931 in the State of Ohio.

The bearings used in this description are for project use only, these bearings are to an assumed meridian and are used to indicate angles only.

Iron pins set are 5/8"x 30" rebar with cap "Floyd Browne Group".

Robert J. Warner
Robert J. Warner, P.S. 6931



7-26-07
Date

Approved by the City of Green Planning and Zoning Commission
(No Plat Required) (Date: 9-28-07)

Wagner L. Huth
Planning Director

As provided for in Section 711.131 of the Revised Code,
State of Ohio. Approval for transfer only, no building
site approval granted. Valid for one hundred eighty (180)
days from the above date.



John A. Donofrio, Summit Fiscal Officer

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EXHIBIT A

PID
PARCEL
CTY-RTE-SEC
Version Date

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5-WD
FORTUNA DRIVE
05/01/07

**PARCEL 5-WD
FORTUNA DRIVE
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Green, County of Summit, State of Ohio and known as being part of the Southwest Quarter of Section 9 of former Green Township and more fully described as follows:

Beginning for reference at the intersection of the centerline of Fortuna Drive (60' R/W) with the centerline of East Turkeyfoot Lake Road (S.R. 619, Variable R/W) from which an iron pin found in a monument box on the centerline of said Fortuna Drive bears N 01° 56' 32" E, 30.00 feet from said intersection;

Thence N 88°03'28" W, 11.83 along said centerline of East Turkeyfoot Lake Road feet to a point therein;

Thence S 08°19'27" W, 478.99 feet along the proposed centerline of Fortuna Drive to a point on the northerly line of Liberty Village Ministries as recorded in Volume 6595, Page 519 and Volume 7178, Page 442 of Summit County Records of Deeds;

Thence N 88°00'18" W, 24.53 feet along said northerly line to an iron pin found at the northeast corner of property described in deed to the City of Green (referred to below as the Grantor) as recorded in O.R. 1671, Page 1033 of Summit County Official Records, said corner being the True Place of Beginning for the following described parcel of land;

Thence S 01°41'34" W, 223.70 feet along the Grantor's easterly line to the southeast corner thereof;

Thence N 88°05'41" W, 50.94 feet along the Grantor's northerly line to an iron pin set;

Thence in a northerly direction 75.96 feet along the arc of a curve deflecting to the right, having a radius of 830.00 feet, a delta of 05°14'38", and a chord which bears N 15°03'48" E a distance of 75.94 feet to a point;

Thence in a northerly direction 125.81 feet along the arc of a curve deflecting to the left, having a radius of 770.00 feet, a delta of 09°21'41", and a chord which bears N 13°00'17" E a distance of 125.67 feet to a point;

Thence N 06°21'32" E, 26.53 feet to a point;

Thence S 88°00'18" E, 6.57 feet to the True Place of Beginning and containing 0.1319 acres

PLIT/COMBINE
LEGAL DESCR
APPROVED

John A Donofrio, Summit Fiscal Officer

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66/p 2-22-08
ROAD TAKE
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