

VILLAGE OF GRAFTON
ORDINANCE NO. 19-011

INTRODUCED BY:

MOTION BY: SAUER

SECONDED BY: KITTS

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE VILLAGE OF GRAFTON BY CHANGING THE ZONING OF CERTAIN LAND LOCATED WITHIN THE VILLAGE OF GRAFTON FROM PUD-RS (PLANNED UNIT DEVELOPMENT-RESIDENTIAL DISTRICT) TO GB (GENERAL BUSINESS DISTRICT)

WHEREAS, Elm St Studios, LLC owns a parcel of real property (hereinafter, the "Property"), known as 1111 Elm Street, which is more fully described in the legal description attached to the Quit-Claim Deed appended hereto as Exhibit "A"; and

WHEREAS, it appears that the zoning which currently applies to the Property as described in the legal description set forth in Exhibit "A", is inadequate for the development and use of this land; and

WHEREAS, in accordance with the provisions of Section 1244.01 *et seq.*, of the Village of Grafton's Codified Ordinances, and based upon the adoption of the recommendation of Planning Commission, Council has determined that the Property should be re-zoned.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Grafton, County of Lorain, and State of Ohio:

Section 1. That, upon Council's adoption of Planning Commission's recommendation that the Property be rezoned, and after a public hearing thereon, notice of which has been given pursuant to Section 14 of Article IV of the Charter of this Village entitled, "The Council - Enactment of Zoning Ordinances and Regulations," and, after its passage pursuant to the Charter of this Village and its approval by the Mayor of the Village of Grafton, the Zone Map of the Village of Grafton is hereby amended, and as amended shall be and the same is hereby revised, by changing the zoning of the Property from PUD-RS (Planned Unit Development-Residential District) to GB (General Business District), which Property is fully described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That, the Clerk-Treasurer be, and she is, hereby directed to cause a Notice of Public Hearing hereon to be given pursuant to the provisions of Section 14 of Article IV of the Charter of this Village.

Section 3. That, the Zone Map of the Village of Grafton shall be amended so that when amended said Zone Map will disclose that the Property, as referenced in Section 1 hereof, and as more fully described in Exhibit "A", shall be revised by changing the zoning of said Property from PUD-RS (Planned Unit Development-Residential District) to GB (General Business District) and that said Property may thereafter be used in accordance with the use of the District permitted by the Zoning Code of the Village of Grafton.

Section 4: That, it is found and determined that all formal actions of this Council concerning and relating to 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.

Section 5. That, this Ordinance shall be in full force and effect from and immediately after the earliest date allowed by law.

Referred to Planning Commission: _____

Report of Planning Commission on: _____

The Planning Commission _____

Council: _____

First Reading: 5-21-19 _____

Second Reading: 6-4-19 _____

Public Hearing: 6-18-19 _____

Third Reading: 6-18-19 _____



PRESIDENT OF COUNCIL

6-18-19


DATE PASSED



MAYOR

6-18-19

DATE APPROVED

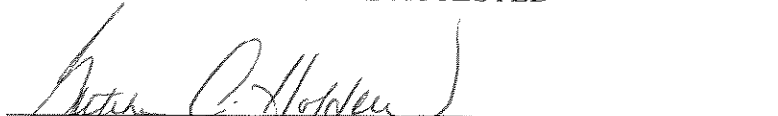


CLERK-TREASURER

6-18-19

DATE ATTESTED

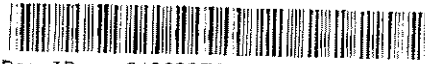
APPROVED AS TO FORM BY:



GRETCHEN A. HOLDERMAN, LAW DIRECTOR

1ST READING: 5-21-19
2ND " : 6-4-19
3RD " : "

EXHIBIT "A"



Doc ID: 019099730005 Type: OFF
Kind: DEEDS
Recorded: 12/23/2015 at 03:10:39 PM
Fee Amt: \$52.00 Page 1 of 5
Lorain County, Ohio
Judith M Nedwick County Recorder

TRANSFERRED

IN COMPLIANCE WITH SEC 319-202
OH-ORELY CODE

DEC 23 2015

*see pd
\$4.00
OCR*

File **2015-0570379**

J. CRAIG SNODGRASS, CPA, CGFM
LORAIN COUNTY AUDITOR

2015 DEC 23 3:06

005938

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that 1111 Elm Street LLC, (the "Grantor"), for valuable consideration paid, grant to Elm St. Studios LLC, an Ohio limited liability company, (the "Grantee"), whose TAX MAILING ADDRESS will be 10691 Deer Run Drive, Grafton, Ohio 44044, the following described premises (hereinafter the "Property"):

See Exhibit A attached.

Permanent Parcel Number: 11-00-0800-000-090

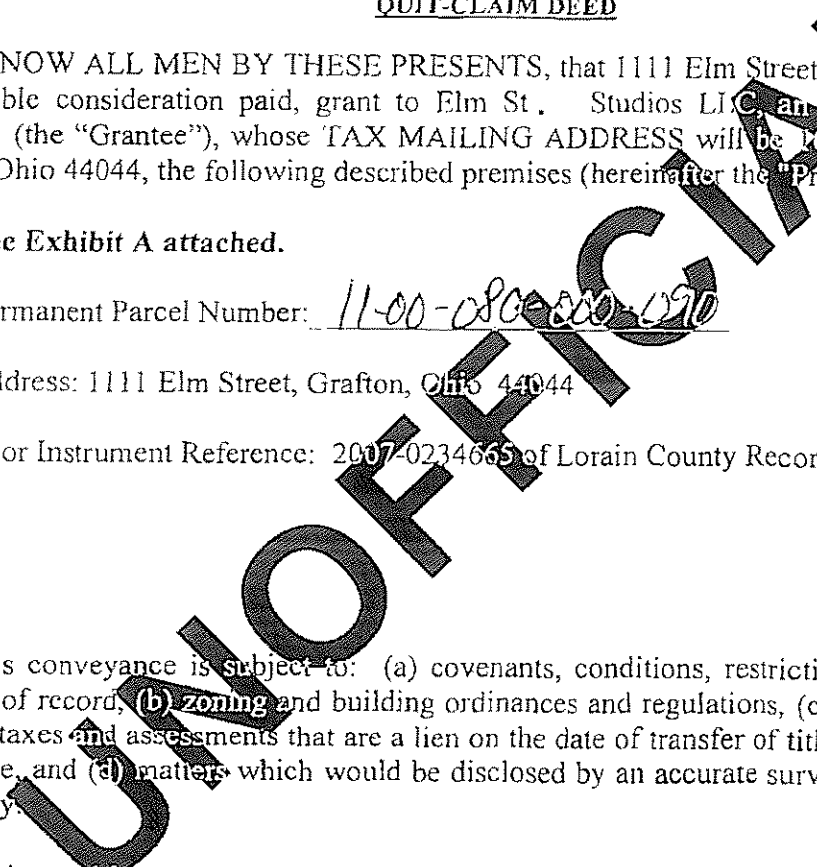
Address: 1111 Elm Street, Grafton, Ohio 44044

Prior Instrument Reference: 2007-0234665 of Lorain County Records

This conveyance is subject to: (a) covenants, conditions, restrictions, agreements and easements of record, (b) zoning and building ordinances and regulations, (c) general and special real estate taxes and assessments that are a lien on the date of transfer of title but are not yet due and payable, and (d) matters which would be disclosed by an accurate survey and inspection of the Property.

Executed by said Grantor this 26th day of October, 2015.

1111 Elm Street, LLC
an Ohio limited liability company
by: Dotson, LLC, an Illinois limited liability company,
the sole member of 1111 Elm Street, LLC



By: Matthew Provenzano
Matthew Provenzano, Grantor

Its: Member

STATE OF Colorado)
COUNTY OF Denver) ss.

Before me, a Notary Public in and for said County and State, personally appeared Matthew Provenzano, member *of 1111 Elm Street LLC who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Denver, Colorado this 26 day of October, 2015.

Angelo Grilli
Notary Public

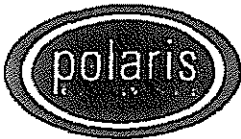
ANGELO GRILLI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144040151
MY COMMISSION EXPIRES OCTOBER 14, 2018

This instrument prepared by:
Jay C. Marcie
Marcie & Associates LPA
1001 Jaycox Road, Suite 1
Avon, Ohio 44011
(440) 937-6600

NO PLAT REQUIRED

General Code Sec. 121108
This Portion of Land located 1111 Elm
Street in Village of Grafton, Ohio,
Signed & Sealed: [Signature]

*of Dotson, LLC, the sole member



Polaris Engineering & Surveying
34600 Chardon Road Suite D
Willoughby Hills, Ohio 44094
Office: (440) 944-4433
Fax: (440) 944-3722

**NOVEMBER 04, 2015
LEGAL DESCRIPTION OF
A 5.0000 ACRE LOT SPLIT
IN THE VILLAGE OF GRAFTON
LOT SPLIT "A"**

Situated in the Village of Grafton, County of Lorain and the State of Ohio, being part of Original Eaton Township Lot No. 80, and known as being Lot Split Parcel "A" out of land conveyed to 1111 Elm Street, LLC by deed recorded as instrument number 2007-0234665 of Lorain County Records (PPN 11-00-080-000-032) and further described as follows:


Beginning in the centerline of Elm Street (C.R.50) – width varies, at the southwesterly corner of Original Eaton Township Lot 80, and being the westerly extension of the northerly line of Chesapeake Crossing Subdivision as shown by plat recorded in volume 62, page 75 of Lorain County Plat Records;

Thence North 00°56'16" East, along the centerline of Elm Street, as established by the Ohio Department of Transportation by survey dated 12-23-03 for project LOR-CR-50-0.34, 106.41 feet to a 1 inch iron pin in a monument box found therein;

Thence South 89°03'44" East, 30.00 feet to a 5/8" iron pin (Id: Polaris) set in the easterly right of way of Elm Street, the same being the easterly line of land conveyed to the Village of Grafton by deed recorded as instrument number 2005-0099521 of Lorain County Records (PPN 11-00-080-000-31) and the Principal Place of Beginning of the following described parcel:

COURSE 1

Thence North 00°56'16" East, along the easterly right of way of Elm Street, 125.09 feet to a 5/8" iron pin (Id: Polaris) set;

Legal description reviewed by 
on 11-5-15 per O.R.C. Section 571.01

PAGE 2

COURSE 2

Thence North 02°44'36" East, along the easterly right of way of Elm Street, 52.27 feet to a 5/8" iron pin (Id: Polaris) set;

COURSE 3

Thence northerly, 25.20 feet along the arc of a non-tangent curve in the easterly right of way of Elm Street, deflecting to the right, having a radius of 1273.02 feet, a delta of 01°08'03", and a chord bearing North 04°38'47" East, 25.20 feet to a 5/8" iron pin (Id: Polaris) set;

COURSE 4

Thence northerly, 113.74 feet along the arc of a non-tangent curve in the easterly right of way of Elm Street, deflecting to the right, having a radius of 376.67 feet, a delta of 17°18'04", and a chord bearing North 13°15'51" East, 113.31 feet to a 5/8" iron pin found;

COURSE 5

Thence North 38°11'45" East, along the easterly right of way of Elm Street, 71.73 feet to a 5/8" iron pin found;

COURSE 6

Thence North 38°22'18" East, along the easterly right of way of Elm Street, 64.72 feet to southwesterly corner of land conveyed to Ruth L. Padulka, Trustee by deed recorded as parcels 3, 4, and 5 of instrument number 2013-0443983 of Lorain County Records (PPN 11-00-080-000-079 and -089), and marked by a 24 inch diameter tree;

COURSE 7

Thence North 89°44'02" East, along the southern line of parcels 3, 4, and 5 of land conveyed to Ruth L. Padulka, Trustee, 474.35 feet to a 5/8" iron pin (Id: Polaris) set;

COURSE 8

Thence South 13°20'15" West, 431.42 feet to 5/8" iron pin (Id: Polaris) set;

COURSE 9

Thence South 89°02'58" West, 311.73 feet to 5/8" iron pin (Id: Polaris) set;

UNOFFICIAL

Legal description reviewed by [Signature]
on 11-5-15 per ORC, Section 5713.03

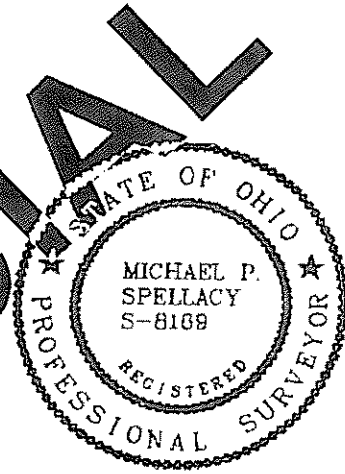
PAGE 2

COURSE 10

Thence North 89°03'44" West, 180.27 feet to the Principal Place of Beginning and containing 5.0000 acres of land as surveyed and described in September, 2015 by Michael P. Spellacy P.S. #8169 of Polaris Engineering & Surveying and subject to all legal highways and easements of record. The bearings used refer to the Ohio State Plane Coordinate System North Zone 1986 adjustment. All iron pins set are 5/8 inch by 30 inch long rebar with plastic identification caps inscribed "Polaris". The intent of this instrument is to describe a lot split of 5.0000 acres out of PPN 11-00-080-000-032.

Michael P. Spellacy 11/04/2015
Michael P. Spellacy P.S. #8169 11/04/2015

LORAIN COUNTY TAX MAPS
P.P. No. 11-00-080-000-032



UNOFFICIAL

S:\2015 Projects\15222- Carlee Mahajan - 111 Elm Street - Grafton (CWS)\Project Surveying Info\Survey Legal Documents\Legal Description - Lot Split Parcel A.doc

OLD REPUBLIC NATIONAL TITLE
INSURANCE CO
160 CLEVELAND STREET
ELYRIA, OH 44035