

DELIVERED SEP 23 2021

CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2021- **69**

(Dakdouk Rezoning -
17791 Sheldon Road)

Introduced By: Mr. Grech. Co-Sponsors: Mr. Bortolotto, Mr. Ference

**A RESOLUTION
REZONING PERMANENT PARCEL NUMBER 371-17-016
FROM ITS PRESENT ZONING CLASSIFICATION MS (MOTORIST
SERVICE DISTRICT) TO GB (GENERAL BUSINESS DISTRICT)
USE DISTRICT CLASSIFICATION**

WHEREAS, the property owner, Camille Dakdouk has requested that permanent parcel number 371-17-016 located at the Southeast corner of Sheldon Road and Engle Road be rezoned from MS (Motorist Service District) to GB (General Business District) Use District Classification; and

WHEREAS, the Planning Commission recommends to Council that the requested zoning change be made; and

WHEREAS, Council deems that the requested zoning change in the hereafter described property should be made and the same is conducive to the public health, safety, convenience, prosperity, and the general welfare of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That Ordinance No. 1982-170, the Zoning Ordinance of the City of Middleburg Heights and the zone map made a part of said Ordinance be changed and amended so as to rezone Permanent Parcel Number 371-17-016 from its present Use Classification MS (Motorist Service District) to GB (General Business District) Use District Classification, a copy of the legal description of permanent parcel number 371-17-016 marked "Exhibit A" is attached hereto and made a part hereof.

Section 2: That the City Engineer be, and he is hereby directed to immediately make the proper marking and changes on the zone map made a part of said Zoning Ordinance 1982-170 to clearly indicate the aforesaid zoning change in the use district of the above-described property from its present MS (Motorist Service District) to GB (General Business District) Use District Classification.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 1-11-22

David Bortolotto
President of Council

Presented to Mayor: 1-12-22

Matthew J. Casella
Mayor

Attest: *M. Meola*
Clerk of Council

Approved On: 1-12-22

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>ABSENT</u>	_____
Sage	<u>ABSENT</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Grech	<u>X</u>	_____

I, *Mary Ann Meola* Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that *Res. 2021-69* adopted by the Council of the City of Middleburg Hts., on *11/11/22* was posted for a period of fifteen days, beginning *11/13/22* and remained so posted for fifteen days at the two posting places as designated by Charter.
Mary Ann Meola
Clerk

CERTIFICATE

I, *Mary Ann Meola* Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of *Res. 2021-69* passed on the *11th* day of *January* *20 22* by said Council.

Mary Ann Meola
Clerk of Council

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STATE OF OHIO)
)
COUNTY OF CUYAHOGA) **TRANSFER ON DEATH
DESIGNATION AFFIDAVIT
(O.R.C. 5302.22)**

Affiants, Camille Slieman Dakdouk (married) and Wafa Jamil Dakdouk (married), of Cuyahoga County, State of Ohio, being first duly sworn according to law, state: that they are the Owners of the property known as 17791 Sheldon Rd., Middleburg Heights, Ohio 44130, as recorded in the Cuyahoga County Records, and with the following Legal Description:

Situated in the City of Middleburg Heights, County of Cuyahoga and State of Ohio: And known as being part of Original Middleburg Township Lot No. 6, Section No. 8 and bounded and described as follows: Beginning at the intersection of the center line of Sheldon Road, 60 feet wide, and the centerline of Engle Road, 60 feet wide; thence South 1 degree 07 minutes 00 seconds west along the centerline of Engle Road a distance of 180.01 feet; thence North 89 degrees 49 minutes 45 seconds east parallel with the centerline of Sheldon Road, a distance of 190.01 feet; thence North 1 degree 07 minutes 00 seconds East parallel with the centerline of Engle Road, a distance of 180.01 feet to the centerline of Sheldon Road; thence South 89 degrees 49 minutes 45 seconds west along the centerline of Sheldon Road, a distance of 190.01 feet to the place of beginning, according to a survey by the Henry G. Reitz Engineering Company, dated April 1960, be the same more or less, but subject to all legal highways.

Permanent Parcel Number: 371-17-016
Prior Instrument Reference: 199908040367

Title of record to the above property is held by Owners in fee simple.

That Affiants hereby designates their son, Daniel Camille Dakdouk, as transfer on death beneficiary to receive Owners' entire, undivided interest and title to that property upon the death of Owners:

This affidavit revokes any prior transfer on death beneficiary designation by owner(s) for that property, whether by deed or by affidavit.