

## CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2022-**12**

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

### AN ORDINANCE

#### **REZONING PERMANENT PARCEL NUMBER 373-18-015 FROM ITS PRESENT ZONING CLASSIFICATIONS R1-A (ONE-FAMILY A RESIDENTIAL DISTRICT) and RMF-1 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO SR/LC (SENIOR RESIDENCE/LIFE CARE DISTRICT)**

WHEREAS, MVAH Holding LLC has requested that Permanent Parcel Number 373-18-015 be rezoned from RMF-1 (Multi-Family Residential District) and R1-A (One-Family A Residential District) to SR/LC (Senior Residence/Life Care District) Use District Classification; and

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

WHEREAS, the 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 ORDAINED 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 373-18-015 from its present use classifications R1-A (One-Family A Residential District) and RMF-1 (Multi-Family Residential District) to SR/LC (Senior Residence/Life Care District) Use District Classification, a copy of the legal description marked "Exhibit A" is attached hereto and made a part hereof.

Section 2: That the City Engineer be and 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 properties from its present R1-A (One-Family A Residential District) and RMF-1 (Multi-Family Residential District) to SR/LC (Senior Residence/Life Care 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 Ordinance 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: 4/26/22

*David Bortolotto*  
President of Council

Attest: M. Meola  
Clerk of Council

Approved On: 4-27-22

Presented to Mayor: 4/27/22

*Matthew Casella*  
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</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 Ord. 2022-12 adopted by the Council of the City of Middleburg Hts., on 4/26/22 was posted for a period of fifteen days, beginning 4/28/22 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 Ord. 2022-12 passed on the 26<sup>th</sup> day of April 2022 by said Council.

*Mary Ann Meola*  
Clerk of Council

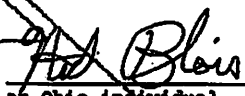
QUIT CLAIM DEED

Marilyn Blois, an unmarried Ohio individual, whose address, care of Nicholas Blois, is 7468 Briarcliff Parkway, Cleveland, Ohio 44130, for valuable consideration paid, grants, remises, releases and forever quit-claims to McGinnis-Blois, LLC, an Ohio limited liability company, whose address is 1800 Midland Building, 101 West Prospect Avenue, Cleveland, Ohio 44115, its successors and assigns forever, all such right and title as Marilyn Blois has or ought to have in and to the following real property:

See Exhibit "A"

Prior Instrument Reference: Volume 66414, Page 10.


IN WITNESS WHEREOF, we have hereunto set our hands this 7<sup>th</sup> day of ~~September~~, 2002.  
October

  
an Ohio individual  
By: Nick Blois, per Power of Atty  
dated 2-10-01.

STATE OF OHIO )  
CUYAHOGA COUNTY ) SS:

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Nick Blois, who acknowledged that he did sign the foregoing instrument on behalf of Marilyn Blois, and that the same is his free act and deed per Power of Attorney dated 2-10-01.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Middleburg, Ohio, this 7 day of October, 2002.

  
Notary Public

This Instrument Prepared By:

Kenneth B. Liffman, Esq.  
McCarthy, Lebit, Crystal & Liffman Co., LPA  
1800 Midland Building  
101 Prospect Avenue, West  
Cleveland, Ohio 44115  
(216) 696-1422

STEPHEN LANGE, NOTARY PUBLIC STATE OF OHIO  
My Commission Expires March 5, 2005


6.14510000.770

**LEGAL DESCRIPTION**

Situated in the Village of Middleburgh Heights, County of Cuyahoga and State of Ohio, and known as being part of Original Middleburgh Township Section No. 6, being further bounded and described as follows: Starting at the intersection of the center line of Pearl Road (the right of way width varies) with the center line of Main Street (60 feet wide) this said intersection point is known as center line road station 336 x 03.49 on the State of Ohio Department of Highways "Location plan and Center line Survey of Cuy 42-5.18-9.88 thence North 64° 43' 49" West 70.55' to an I.P., which is the principal place of beginning. This I.P. is also North 79° 57' 28" West 68.16' from the center line of said Pearl Road, Station 335 x 84.95 and is the intersection of the Northerly right of way line of said Main Street with the Westerly right of way Easement line of said Pearl Road, recorded in Volume 7667, page 734 of Cuyahoga County Records. Thence North 6° 51' 38" East along the said Westerly Easement line of said Pearl Road, 281.11' to an I.P. which is North 83° 09' 22" West 71.00' from the center line station 333 x 0 of said Pearl Road. Thence continuing North 6° 51' 38" East along the said Westerly Easement line of said Pearl Road 150.00' to an I.P. which is North 83° 08' 22" West 71.00' from centerline station 331 x 50.00' of said Pearl Road. Thence North 12° 05' 47" East along the said Westerly Easement line of said Pearl Road 86.24' to an I.P. which intersects the Northerly property line at a point North 83° 08' 22" West 63.13' from centerline Station 330 x 64.12 of said Pearl Road. Thence North 89° 53' 33" West along the Southerly line of a parcel of land conveyed to the Cleveland Electric Illuminating Company September 13, 1924, by deed recorded in Volume 3149, Page 67 of the Cuyahoga County Records 532.92' to an iron pipe which is the North East corner of a parcel of land conveyed to George W. Stickle May 24, 1955 by deed recorded in Volume 8416, page 410 of Cuyahoga County Records. Thence South 0° 37' 47" West along the Easterly line of said parcel of land conveyed to George W. Stickle by deed recorded in Volume 8416, Page 410 of Cuyahoga County Records, and along the second parcel and first parcel of land conveyed to John Domen and Lucille Domen August 19, 1954, by deed recorded in Volume 8095, Page 300 of Cuyahoga County Records 512.59' to an Iron pipe which intersects the Northerly right of way line of said Main Street (60 feet wide) thence continuing South 0° 37' 41" West 30.00' to the centerline of said Main Street. Thence South 89° 54' 13" East along the centerline of said Main Street 533.11' to the centerline of said Pearl Road. Thence North 64° 42' 49" West 70.55' to an Iron pipe which is the principal place of beginning, to be the same more or less, but subject to all legal highways.

PPN: 373-18-015

HUBERT KLAIBER P.E., P.S.  
Legal Description complies with  
Cuyahoga County Conveyance  
Standards and is approved for  
transfer:

  
Agent

FEB 25 2005

CUYAHOGA COUNTY RECORDER  
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Permanent Parcel #: 373-18-015

Type Instrument: Quit Claim Deed Ex Date: 2/25/2005 3:11:00 PM  
Tax District #: 3220 Tax List Year: 2005  
Grantor: Betsy Marilyn Land Use Code: 8000  
Grantee: MCGINNIS-BLOIS, LLC Land Value: 104,700  
Balance Assumed: \$ 0.00 Building Value: 0  
Total Consideration: \$ 0.00 Total Value: 104,700  
Conv. Fee Paid: \$ 0.00 Arms Length Sale: NO  
Transfer Fee Paid: \$ 0.50 Rept: A-02252005-23  
Fee Paid by: CASH Inst #: 143240  
Exempt Code: Check #:

*Frank Russo*  
CUYAHOGA COUNTY AUDITOR