

ORDINANCE NO: 1307 AC CMS

AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND FROM  
MR. A. H. CLARK TO THE CITY OF OBERLIN AND  
AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT STIPULATING  
SAID TRANSFER

BE IT ORDAINED by the Council of the City of Oberlin, Lorain  
County, State of Ohio, five-sevenths (5/7ths) of all members elected  
thereto concurring:

SECTION 1. That the City of Oberlin shall receive the follow-  
ing two described pieces of real estate:

PARCEL NO. 1. - Situated in the City of Oberlin, County of  
Lorain and State of Ohio, and bounded and described as  
follows:

Beginning at the SouthWesterly corner of lands conveyed  
to the City of Oberlin, Ohio, by Deed dated December 27,  
1961 and recorded in Volume 812, Page 639 of the Lorain  
County Records of Deeds, said SouthWesterly corner being  
92.95 feet Southerly from the NorthWesterly corner there-  
of:

Thence in a line Easterly along the Southerly line of  
property so conveyed to the City of Oberlin, Ohio, a  
distance of 199.10 feet;

Thence Southerly along the Westerly line of said pro-  
perty so conveyed to the City of Oberlin, a distance of  
50 feet;

Thence Westerly along the Southerly line of property now  
owned by Mr. A.H. Clark, Westerly to the SouthEasterly  
corner of lands conveyed to the City of Oberlin;

Thence Northerly along the Easterly line of lands con-  
veyed to the City of Oberlin 50 feet to the place of  
beginning, and containing approximately .23 Acre of  
land.

PARCEL NO. 2 - Situated in the City of Oberlin, County of Lorain and State of Ohio, and bounded and described as follows:

Beginning at the SouthWesterly corner of lands conveyed to Carl C. Kinney, Jr., by Deed dated April 12, 1954 and recorded in Deed Volume 597, Page 574 of the Lorain County Record of Deeds;

Thence Easterly in the SouthEasterly line of Kinney lands, a distance of 215.08 feet to an iron pin in the Westerly line of South Pleasant Street;

Thence Southerly in the Westerly line of South Pleasant Street to the center line of Plumb Creek.

Thence Westerly and SouthWesterly in the center line of Plumb Creek to the Easterly line of lands conveyed to Robert Fauver and Jerome G. Steel by Deed dated July 15, 1941 and recorded in Deed Volume 313, Page 354 of Lorain County Record of Deeds;

Thence Northerly along the Easterly line of land so conveyed to Fauver and Steel, a distance of 121.81 feet to the place of beginning, and containing therein approximately .2 Acres.

SECTION 2. That the City Manager is authorized to sign an agreement with Mr. A.H. Clark concerning the transfer of the real estate described in Section 1 above and stipulating:

1. That parcel one described in Section 1 above will be deeded to the City with the restriction that the land may only be used for public parking purposes and at no charge to any user.
2. That parcel two described in Section 1 above will be deeded to the City with the restriction that no building may be placed upon it.
3. That the City shall cause to be constructed a parking facility on its present 69 South Main Street property including parcel number one as described above and any portion of parcel two as described above as may be necessary to accommodate a minimum of one hundred and seven (107) parking spaces. The lot shall be resurfaced with two inches (2") of asphalt and shall be improved with lighting and screening.

4. That inconsideration of the land to be transferred to the City, the City shall be responsible for initially improving the parking lot currently owned by Mr. A.H. Clark in front of the Fisher Food Store to the same level of improvement as that done in number three of this section.
5. That after all initial improvements have been made by the City, the City shall be responsible for the costs of maintenance and improvement of its public area. Mr. A.H. Clark shall be responsible for the improvements to the private parking area in front of the Fisher Food Store.
6. A non-exclusive easement shall be granted to the owner of the property, now occupied by Fisher Foods, guaranteeing that the customers of this or any future occupant of that building, shall have the same parking privileges as other members of the public.
7. That the City shall be responsible for the realignment of the driveway onto South Pleasant Street so as to improve traffic flow.

SECTION 3. That this Ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st reading - September 6, 1977 (Suspension of Rules-30 Days)  
2nd reading -  
3rd reading -

ATTEST:

  
CLERK OF COUNCIL

  
CHAIRMAN OF COUNCIL

POSTED: September 7, 1977