

## RESOLUTION R-2017-15

### A RESOLUTION TO AUTHORIZE MAYOR AND FISCAL OFFICER TO ACCEPT 7 PARCELS OF PROPERTY LOCATED WITHIN THE VILLAGE.

**WHEREAS**, over a period of years the Administration of the Village of Windham has participated in various grant and loan activities to assist owners of properties within the Village; and

**WHEREAS**, the Portage Area Development Corporation has been a partner with the Village by assisting in lending and rehabilitation activities with owners of properties in the Village; and

**WHEREAS**, Neighborhood Development Services, Inc., (NDS) has succeeded to the rights and responsibilities of the Portage Area Development Corporation; and

**WHEREAS**, NDS has now made 7 parcels of property located in the Village available for donation to the Village, which the Village Council has determined are appropriate for acceptance; and

**WHEREAS**, to obtain clear title to one of the parcels the Village Council must authorize a partial release of a mortgage held by the Village on the parcel; and

**WHEREAS**, by this resolution the Council authorizes the Mayor and the Fiscal Officer to execute all documents necessary to accomplish a partial release the referenced mortgage and to accept the 7 parcels of property from NDS.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Village of Windham, County of Portage, State of Ohio, two thirds or more of its members thereto concurring that:

**Section 1:** The Mayor and the Fiscal Officer are hereby authorized to execute on behalf of the Village a Partial Release of Mortgage in substantial conformity with the Release attached hereto as Exhibit 1.

**Section 2:** The Mayor and the Fiscal Officer are authorized to take all actions necessary on behalf of the Village to accept Village ownership of the following parcels of real estate:

#51 Parcel# 40-057-10-00-102-000 (Portage Cty) 9510 Community, .25 acres

#68 Parcel# 40-057-10-00-105-000 (Portage Cty) 9516 Community, .23 acres

#69 Parcel# 40-057-10-00-079-000 (Portage Cty) 9725 Grove Ct, 1.18 acres

Parcel#41-057-10-00-107-000 (Portage Cty) 9520 Community Rd.

Parcel #41-057-10-00-176-000 (Portage Cty) 9527 Community Rd.

Parcel #41-057-10-00-097-000 (Portage Cty) 9486 Community Rd.

Parcel #41-057-10-00-169-000 (Portage Cty) 9591 Community Rd.

**Section 3:** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution 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, including Section 121.22 of the Revised Code of the State of Ohio.

Passed by Council on first reading, June 27, 2017

Vote of Council:       Ayes: 5  
                              Nays: 0

\_\_\_\_\_  
Mayor, Deborah Blewitt

ATTEST:

\_\_\_\_\_  
Fiscal Officer, Cheree Taylor

Approved as to form:

\_\_\_\_\_  
Thomas Reitz, Solicitor

**PARTIAL RELEASE OF MORTGAGE**

For a valuable consideration, **THE VILLAGE OF WINDHAM**, an Ohio Municipal Corporation, (Lender), does hereby release from the lien and operation of a certain mortgage, from **PORTAGE AREA DEVELOPMENT CORPORATION, nka NEIGHBORHOOD DEVELOPMENT SERVICES, INC.** (Borrow), and recorded in Portage County records, Instrument Number 200106578, so much of the property therein described as is known and described as follows, **SEE ATTACHED EXHIBIT "A."**

Without, however, invalidating the lien of said Mortgage upon the remainder of the land therein described.

Signed on June 28, 2017.

The Village of Windham, an Ohio Municipal Corporation

By: Deborah Blewitt  
Deborah Blewitt, Mayor

By: Cheree M. Taylor  
Cheree Taylor, Fiscal Officer

State of Ohio }  
County of Portage } ss

Before me, a Notary Public in and for said County and State, personally appeared **THE VILLAGE OF WINDHAM**, an Ohio Municipal Corporation, by **Deborah Blewitt**, Mayor and **Cheree Taylor**, Fiscal Officer, who signed the foregoing Instrument and acknowledged the same as their voluntary act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at Windham, Ohio this 28<sup>th</sup> day of June, 2017.

Lori A. Lee  
Notary Public

**LORI A. LEE**  
NOTARY PUBLIC - STATE OF OHIO  
Recorded in Mahoning County  
My commission expires April 9, 2022

This Instrument prepared by:  
Thomas Reitz, Esq.  
REITZ, PAUL & SHORR  
215 W. Garfield Road, Suite 230  
Aurora, OH 44202

**EXHIBIT "A"**

Situated in the Village of Windham, Count of Portage and State of Ohio: and known as being Sublot 65 of the Maple Grove Park Plat 1 as the same is platted, numbered and recorded in Plat Book 30, Page 12 of Portage County Records.

Permanent Parcel No.: 41-057-10-00-107-000

Property Address: 9520 Community Road  
Windham, OH 44288

Prior Instrument No.: 200106578, Portage County Records of Deeds