

ORDINANCE O-2021-5

**AN ORDINANCE AUTHORIZING, RATIFYING THE ACTIONS OF THE VILLAGE ADMINISTRATOR AND CONFIRMING THE SALE OF VARIOUS PARCELS OF REAL ESTATE OWNED BY THE VILLAGE BUT NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY**

WHEREAS, the Village as the sole owner, in fee simple, of a certain parcels of real estate known as 8980, 8988, 8992, 8972, 8998, 9006 Maple Grove and an unnumbered lot on Maple Grove Road, and also of 9717 and 9725 Grove Court (hereinafter referred to as the Real Estate); and

WHEREAS, the Village Administrator has recommended that the Village of Windham sell the Real Estate as that land is no longer needed for any municipal purpose and so as to avoid the ongoing expenses involved owning the Real Estate; and

WHEREAS, Ohio Revised Code 721.03 authorizes the sale of real estate that is no longer needed for any municipal purpose; and

WHEREAS, by the passage of Resolution 2020-13 the Village of Windham Council has adopted the Windham Village, Land Use Plan which designates the whole of the Village as an area for Urban Redevelopment and Urban Renewal; and

WHEREAS, Ohio Revised Code 721.28 authorizes the sale of real estate in accordance with a plan adopted by the Village Council for urban redevelopment or urban renewal without the necessity of complying with the competitive bidding requirements of Ohio Revised code 721.03.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Windham, two thirds or more of its members elected thereto concurring as follows:

**Section One:** The Council determines that the Real Estate is no longer needed for any municipal purpose.

**Section Two:** The Village Administrator, who is the municipal officer having supervision and management of such property, after discussion with the Committee of Council, and in conformity with the purposes of the Village of Windham Land Use Plan has sold the Real Estate. The sales are reflected in the three deeds to the purchasers which are attached as Exhibits A, B and C.

**Section Three:** The actions of the Village Administrator are found and determined to be in compliance with prior direction of the Village Council, Ohio Revised Code 721.28 and with the Windham Village Land Use Plan.

**Section Four:** The actions of the Village Administrator in selling the Real Estate, as is shown on the attached Exhibits A, B and C are ratified, confirmed and approved.

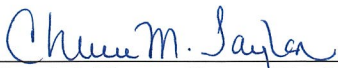
**Section Five:** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council and any committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

**Section Six:** Ordinance is declared an emergency measure becoming effective immediately upon its passage by Council and approval by the Mayor because the Village of Windham as it is necessary to formally indicate that the actions of the Village Administrator have been needs to sell real estate no longer needed for any municipal purpose soon so as to reduce the drain on the municipal finances caused by owning the real estate.

Passed in Council as an emergency on March 23, 2021

Vote of Council:      Ayes: 6  
                                 Nays: 0

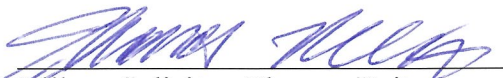
ATTEST:

  
\_\_\_\_\_  
Fiscal Officer, Chere Taylor

APPROVED:

  
\_\_\_\_\_  
Mayor, Scott Garrett

APPROVED AS TO FORM:

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

**GENERAL WARRANTY DEED**

**VILLAGE OF WINDHAM, OHIO**, (“Grantor”), for valuable consideration paid, grants, with general warranty covenants, to **MAURINA SUE COLLINS**, married (“Grantee”), for their joint lives, remainder to the survivor of them, whose tax mailing address is 9042 Wilverne, Windham, OH 44288 the following real property:

See attached Exhibit A

**Property Address:** 8980 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-075-001  
**Prior Deed Reference:** Instrument No. 201006795

**Property Address:** 8998 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-072-000  
**Prior Deed Reference:** Instrument No. 201006795

**Property Address:** 8992 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-073-000  
**Prior Deed Reference:** Instrument No. 201006795

**Property Address:** 8988 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-074-001  
**Prior Deed Reference:** Instrument No. 201006795

**Property Address:** 8972 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-076-001  
**Prior Deed Reference:** Instrument No. 201900775

The real property described above is conveyed subject to, and there are excepted from the general warranty covenants, the following: (i) such restrictions, conditions, easements (however created)

and encroachments as do not materially adversely affect the use or value of the property, (ii) zoning ordinances, if any, and (iii) taxes and assessments, both general and special, not yet due and payable.

Executed this 4<sup>th</sup> day of February, 2021.

VILLAGE OF WINDHAM, OHIO

Deborah Blewitt  
Deborah Blewitt, Administrator

STATE OF OHIO )  
COUNTY OF Portage ) SS:

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of February, 2021 by Deborah Blewitt, Administrator of and on behalf of **VILLAGE OF WINDHAM, OHIO** as his/her/their free act and deed. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.



Steve Johnson  
Notary Public  
My Commission Expires: \_\_\_\_\_

This instrument was prepared by: Stephen J. Crawford, Esq., Crawford Law LLC, 2825 Key Tower, 127 Public Square, Cleveland, OH 44114-1257

Disclaimer: This instrument has been prepared as an accommodation only. Preparer does not represent any party hereto and has not provided any party legal advice or a legal opinion with respect to the subject transaction. The information necessary to prepare this instrument has been provided by the parties and deemed reviewed and approved by the parties by reason of their execution hereof. Preparer has made no examination of the status of title nor made any representation as to the use or zoning of the property nor any other matter except the validity of the form of this instrument.

**EXHIBIT A  
LEGAL DESCRIPTION**

**Parcel 1: 41-057-10-00-072-000**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublot No. 30, Buildings 46 and 47 in Maple Grove Park Plat No. 1, as recorded in Volume 30, Page 12 of the Portage County Records of Plats, to which reference is hereby made for a complete description of said lot, as appears by said plat, be the same more or less, but subject to all legal highways.

**Parcel 2: 41-057-10-00-073-000**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublot No. 31, Building 48 in Maple Grove Park Plat No. 1, as recorded in Volume 30, Page 12 of the Portage County Records of Plats, to which reference is hereby made for a complete description of said lot, as appears by said plat, be the same more or less, but subject to all legal highways.

**Parcel 3: 41-057-10-00-074-001, 41-057-10-00-075-001 and 41-057-10-00-076-001**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublots 32-R, 33-R and 34-R in the replat of Sublots 32, 33, 34 and 35 of Maple Grove Park Plat No. 1 as recorded in 2019-66 of the Portage County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Property 2: \_\_\_\_\_  
Property 3: \_\_\_\_\_  
Property 4: \_\_\_\_\_  
Property 5: \_\_\_\_\_



**GENERAL WARRANTY DEED**

**VILLAGE OF WINDHAM, OHIO** (“Grantor”), for valuable consideration paid, grants, with general warranty covenants, to **REBECCA SMITH**, unmarried (“Grantee”) whose tax mailing address is 8492 Slagle Road, Windham, Ohio 44288 the following real property:

**Parcel 1: 41-057-10-00-078-000**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublot No. 36, Building 55 in Maple Grove Park Plat No. 1 as recorded in Volume 30, Page 12 of the Portage County Records of Plats, to which reference is hereby made for a complete description of said lot, as appears by said plat, be the same more or less, but subject to all legal highways.

**Property Address:** 9717 Grove Court, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-078-000  
**Prior Deed Reference:** Instrument No. 201006795

**Parcel 2: 41-057-10-00-079-000**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublot No. 36, Building 55 in Maple Grove Park Plat No. 1 as recorded in Volume 30, Page 12 of the Portage County Records of Plats, as appears by said plat, be the same more or less, but subject to all legal highways.

**Property Address:** 9725 Grove Court, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-079-000  
**Prior Deed Reference:** Instrument No. 201801560

The real property described above is conveyed subject to, and there are excepted from the general warranty covenants, the following: (i) such restrictions, conditions, easements (however created)

and encroachments as do not materially adversely affect the use or value of the property, (ii) zoning ordinances, if any, and (iii) taxes and assessments, both general and special, not yet due and payable.

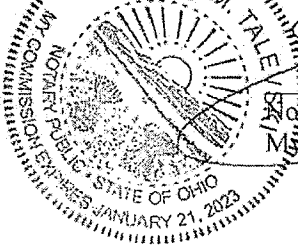
Executed this 4th day of February, 2021.

VILLAGE OF WINDHAM, OHIO

Deborah Blewitt  
Deborah Blewitt, Administrator

STATE OF OHIO )  
COUNTY OF Portage ) SS:

The foregoing instrument was acknowledged before me this 4th day of February, 2021 by Deborah Blewitt, administrator of and on behalf of **VILLAGE OF WINDHAM, OHIO**, as his/her/their free act and deed. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signor with regard to the notarial act certified to hereby.

John Salvo  
Notary Public  
My Commission Expires: \_\_\_\_\_  


This instrument was prepared by: Stephen J. Crawford, Esq., Crawford Law LLC, 2825 Key Tower, 127 Public Square, Cleveland, OH 44114-1257

Disclaimer: This instrument has been prepared as an accommodation only. Preparer does not represent any party hereto and has not provided any party legal advice or a legal opinion with respect to the subject transaction. The information necessary to prepare this instrument has been provided by the parties and deemed reviewed and approved by the parties by reason of their execution hereof. Preparer has made no examination of the status of title nor made any representation as to the use or zoning of the property nor any other matter except the validity of the form of this instrument.



**GENERAL WARRANTY DEED**

**VILLAGE OF WINDHAM, OHIO** (“Grantor”), for valuable consideration paid, grants, with general warranty covenants, to **SHERI YEARIAN**, \_\_\_\_\_ (“Grantee”), whose tax mailing address is 1189 Chester Avenue Akron, Ohio 44314 the following real property:

**Parcel Nos.: 41-057-10-00-068-001, 41-057-10-00-069-001 & 41-057-10-00-070-001**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublots 26-R, 27-R and 28-R in the replat of Sublots 26, 27 and 28 of Maple Grove Park Plat No. 1 as recorded in 2019-65 of the Portage County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Property Address:** Maple Grove Road, Windham, OH 44288  
**Permanent Parcel Nos.:** 41-057-10-00-068-001, 41-057-10-00-069-001 & 41-057-10-00-070-001  
**Prior Deed Reference:** Instrument No. 201810479

**Parcel No: 41-057-10-00-071-000**

Situated in the Village of Windham, County of Portage and State of Ohio: and known as being Sublot No. 29, Buildings 44 and 45 on Maple Grove Park Plat No. 1, as recorded in Volume 30, Page 12 of the Portage County Records of Plats, to which reference is hereby made for a complete description of said lot, as appears by said plat, be the same more or less, but subject to all legal highways.

**Property Address:** 9006 Maple Grove Road, Windham, OH 44288  
**Permanent Parcel No.:** 41-057-10-00-071-000  
**Prior Deed Reference** Instrument No. 201006795

The real property described above is conveyed subject to, and there are excepted from the general warranty covenants, the following: (i) such restrictions, conditions, easements (however created) and encroachments as do not materially adversely affect the use or value of the property, (ii) zoning ordinances, if any, and (iii) taxes and assessments, both general and special, not yet due and payable.

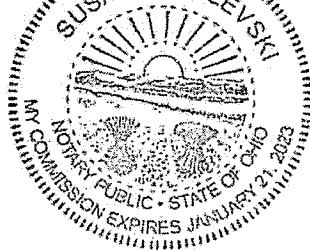
Executed this 4th day of February, 2021.

VILLAGE OF WINDHAM, OHIO

*Deborah Blewitt*  
Deborah Blewitt, Administrator

STATE OF OHIO )  
COUNTY OF Portage ) SS:

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2021 by Deborah Blewitt, Administrator of and on behalf of **VILLAGE OF WINDHAM, OHIO**, as his/her/their free act and deed. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.



*Susan J. Lewski*  
Notary Public  
My Commission Expires: \_\_\_\_\_

This instrument was prepared by: Stephen J. Crawford, Esq., Crawford Law LLC, 2825 Key Tower, 127 Public Square, Cleveland, OH 44114-1257

Disclaimer: This instrument has been prepared as an accommodation only. Preparer does not represent any party hereto and has not provided any party legal advice or a legal opinion with respect to the subject transaction. The information necessary to prepare this instrument has been provided by the parties and deemed reviewed and approved by the parties by reason of their execution hereof. Preparer has made no examination of the status of title nor made any representation as to the use or zoning of the property nor any other matter except the validity of the form of this instrument.