

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_ 20\_\_

RESOLUTION NO. 19 - 11

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO EXECUTE A QUIT-CLAIM DEED THAT CONVEYS TO JOHN D. CHIOFALO AND BETH M. CHIOFALO CERTAIN REAL ESTATE WHICH IS NO LONGER NEEDED BY THE MUNICIPALITY FOR PUBLIC HIGHWAYS, STREETS, AVENUES, SIDEWALKS, PUBLIC GROUNDS, BRIDGES, AQUEDUCTS, AND VIADUCTS, OR NEEDED IN CONNECTION WITH ANY SUCH PURPOSES.

WHEREAS, the City of Orrville owns a small piece of real estate (0.030 acre of land) as described on the copy of the quit-claim deed attached hereto and incorporated herein as "Appendix 1";

WHEREAS, the City of Orrville has determined that said real estate is no longer needed by the municipality for public highways, streets, avenues, sidewalks, public grounds, bridges, aqueducts, and viaducts, or needed in connection with any such purposes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That the real estate described on the copy of the quit-claim deed attached hereto as "Appendix 1" is no longer needed by the municipality for public highways, streets, avenues, sidewalks, public grounds, bridges, aqueducts, and viaducts, or needed in connection with any such purposes.

Section 2: That the Safety-Service Director for the City of Orrville is hereby authorized to execute a quit-claim in substantial conformity to the quit-claim deed attached hereto as "Appendix 1", conveying the real estate described in "Appendix 1" to John D. Chiofalo and Beth M. Chiofalo;

Section 3: That this Resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed this 6<sup>th</sup> day of June 2011

Attest:

T. Leppard  
Clerk of Council

[Signature]  
President of Council

Approved:

David J. Handberg  
Mayor

Date 6/6/11

APPENDIX 1

**QUIT-CLAIM DEED**

**THE CITY OF ORRVILLE**, an Ohio municipal corporation ("Grantor"), for valuable consideration paid to it by **JOHN D. CHIOFALO AND BETH M. CHIOFALO** ("Grantees"), for their joint lives remainder to the survivor of them, whose address is 248 Smucker Street, Orrville, Ohio 44667, remises, releases and forever quit claims and assigns to said Grantee, their successors and assigns forever, the following described real estate (the "Property"):

**SEE EXHIBIT "A" ATTACHED  
HERETO AND MADE A PART HEREOF**

and all of the estate, title and interest of said Grantor either in law or in equity, of, in and to said interest in said Property; together with all of the privileges and appurtenances to the same belonging, and all rents, issues and profits hereof; to have and to hold the same to the only proper use of the said Grantees.

Grantor has executed this Deed this \_\_\_ day of June, 2011.

GRANTOR:

THE CITY OF ORRVILLE

By: \_\_\_\_\_

Steven M. Wheeler

Its: Safety-Service Director

STATE OF OHIO                     )  
  ): SS:  
COUNTY OF WAYNE            )

The foregoing instrument was acknowledged before me this \_\_\_ day of June, 2011 by Steven M. Wheeler, Safety-Service Director of The City of Orrville.

\_\_\_\_\_  
Notary Public

This instrument prepared by:  
Timothy R. VanSickle  
Kropf, Wagner & VanSickle, LLP  
100 North Vine Street  
Orrville, OH 44667  
(330) 683-5010

EXHIBIT A

Situated in the City of Orrville, County of Wayne, State of Ohio, and bounded and described as follows:

Beginning at a 5/8" rebar with cap set in the West line of North Ella Street (50.00 feet wide) at the Southeast corner of Lot 287 of the I. W. Steel's Addition as Recorded in Plat Book 1, Page 166 of the Wayne County Records of Plats; thence North 01° 06' 29" East along the West line of North Ella Street and the East line of Lot 287, a distance of 66.00 feet to a point at the Northeast corner of Lot 287 and the TRUE PLACE OF BEGINNING of the parcel of land herein described;

1. Thence North 89° 45' 44" West along the North line of said Lot 287 and the North line of the East half of a Vacated 12 feet wide Alley as Recorded in Plat Book 17, Page 44, a distance of 146.00 feet to a point in the East line of City Lot No. 2985 as recorded in Plat Book 18, Page 90.
2. Thence North 01° 06' 29" East along the East line of said Lot 2985 and passing through a 5/8" rebar with cap set at 2.07 feet, a distance of 12.07 feet to a 5/8" rebar with cap set in the South line of West High Street (60.00 feet wide);
3. Thence South 87° 21' 04" East along the South line of West High Street, a distance of 146.04 feet to a 5/8" rebar with cap set at the intersection of the South line of said street with the West line of the aforementioned North Ella Street;
4. Thence South 01° 06' 29" West along the West line of North Ella Street, a distance of 5.92 feet to the TRUE PLACE OF BEGINNING and containing within said bounds 0.030 Acre of land, more or less, but subject to all legal highways as surveyed by Joseph H. Moine, Jr., Registered Professional Surveyor No. 6732 in November, 2010.

The Basis of Bearing for this survey is the State Plane Coordinate Grid, Ohio North Zone, 1983 Datum, as determined by traverse method from the City of Orrville GPS Monument No. "OT-13" to the City of Orrville GPS Monument No. "OR-14".

Out of Permanent Parcel Number: 59-00613.000