



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-144:**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE CITY OF WESTLAKE, WHICH ZONE MAP IS PART OF THE ZONING CODE OF THE CITY OF WESTLAKE, BY CHANGING THE ZONING OF CERTAIN LAND LOCATED ON THE SOUTH SIDE OF CENTER RIDGE ROAD NEAR DOVER CENTER ROAD, FROM OFFICE BUILDING DISTRICT TO GENERAL BUSINESS DISTRICT.

WHEREAS, Ron Russell, representative of Russell Preferred Properties, Inc., has submitted an application to the City of Westlake to amend the Zone Map by requesting that Council rezone the land located on the South side of Center Ridge Road near Dover Center Road being all of Permanent Parcel No. 215-10-003 from Office Building District to General Business District; and

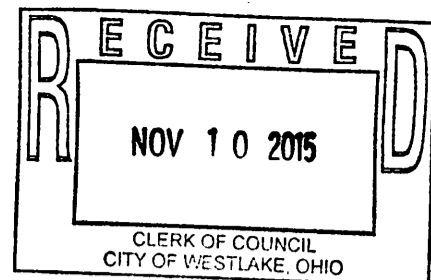
WHEREAS, it appears that the zoning that applies to the real property described in the legal description attached hereto is improper under the conditions presently existing and inadequate for the development and use of this land; and

WHEREAS, after careful consideration, the Planning Commission of the City, on the day of December 7, 2015, recommended disapproval of the change of the Districts herein specified as requested by this Council; and

WHEREAS, Council desires to have said land rezoned as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That after submission of this Ordinance to the Planning Commission of this City for its opinion and recommendations, and after a Public Hearing hereon, notice of which has been given pursuant to Section 13 of Article III of the Charter of this City entitled "The Council - Enactment of Zoning Ordinances," and after its passage pursuant to the Charter of this City and its approval by the Mayor of the City of Westlake, the Zone Map of Westlake is hereby amended and as amended shall be and the same is hereby revised by changing the zoning of certain land known as Permanent Parcel No. 215-10-003 from Office Building District to General Business District which land is more fully described in Exhibit "A" attached hereto and made a part hereof.



**Legal Description for
Permanent Parcel Numbers 215-10-003, 004 and 031 being
Consolidated to form "Parcel A"**

Situated in the City of Westlake, County of Cuyahoga and State of Ohio and known as being part of Original Dover Township Lot Numbers 36 and 46 now known as Parcel A in the Plat of Survey and Assembly Plat for Russell Preferred Properties as shown on the recorded plat in Volume 323, Page 38 of Cuyahoga County Map Records, being further bounded and described as follows:

Commencing at a 1" iron pin marking the intersection of the centerline of Dover Center Road (variable width) with the former centerline of Center Ridge Road (variable width); thence North 67°23'14" East along the said former centerline of Center Ridge Road, a distance of 192.36 feet to the Northeasterly corner of the Lot Split and Consolidation Plat for Rite Aid of Ohio, Inc. as shown on the recorded plat in Volume 288, Page 32 of Cuyahoga County Map Records, and being the Point of Beginning of the Parcel herein described;

Course Number 1: thence North 67°23'14" East along said centerline of Center Ridge Road, a distance of 196.01 feet to a Northwesterly corner of land conveyed to Robert J. and M.H. Sating by deed recorded in Volume 86-2404, Page 18 of Cuyahoga County Deed Records;

Course Number 2: thence South 24°58'52" East along a Southwesterly line of said land conveyed to Robert J. and M.H. Sating, a distance of 157.03 feet to a 1/2" iron pin;

Course Number 3: thence South 68°27'48" West along a Northwesterly line of said land conveyed to Robert J. and M.H. Sating, a distance of 106.23 feet to a 5/8" iron pin;

Course Number 4: thence South 11°24'48" East along a Westerly line of said land conveyed to Robert J. and M.H. Sating, a distance of 129.58 feet to a pk nail;

Course Number 5: thence North 67°21'43" East along a Southeasterly line of said land conveyed to Robert J. and M.H. Sating, a distance of 199.03 feet to a 1/2" iron pipe at a Northwesterly corner of land conveyed to Westridge Realty Co. by deed recorded in Volume 7608, Page 528 of Cuyahoga County Deed Records;

Course Number 6: thence South 19°12'08" East along a Westerly line of said land conveyed to Westridge Realty Co., a distance of 174.48 feet to a point;

Course Number 7: thence South 88°09'05" East along a Southerly line of said land conveyed to Westridge Realty Co., a distance of 93.64 feet to a Northwesterly corner of land conveyed to R.W. and P.A. Zinn by deed recorded in Volume 88-1429, Page 15 of Cuyahoga County Deed Records and being referenced by a 1/2" iron pin (0.17 feet East);

Course Number 8: thence South 01°51'43" West along a Westerly line of said land conveyed to R.W. and P.A. Zinn, a Westerly line of land conveyed to G.M. Ricketts and S.K. McKeen by deed recorded in Automatic File Number 200204151532 of Cuyahoga

County Deed Records and a Westerly line of land conveyed to B.N. Muego by deed recorded in Automatic File Number 200206281159 of Cuyahoga County Deed Records, a distance of 237.39 feet to a Northeasterly corner of land conveyed to R. and C.M. Krueger by deed recorded in Volume 96-02921, Page 36 of Cuyahoga County Deed Records, being referenced by a 5/8" iron pin (0.02 feet West);

Course Number 9: thence North 86°41'46" West along a Northerly line of said land conveyed to R. and C.M. Krueger, a distance of 291.43 feet to a 3/4" iron pipe at a Southeasterly corner of land conveyed to Thomas W. and T.L. Kalinoski by deed recorded in Volume 95-5641, Page 2 of Cuyahoga County Deed Records;

Course Number 10: thence North 04°00'58" East along an Easterly line of said land conveyed to Thomas W. and T.L. Kalinoski, a distance of 99.09 feet to a stone monument;

Course Number 11: thence North 86°41'34" West along a Northerly line of said land conveyed to Thomas W. and T.L. Kalinoski, a distance of 137.18 feet to a Southeasterly corner of said Lot Split and Consolidation Plat for Rite Aid of Ohio, Inc., being referenced by a 1/2" iron pin (0.29 feet North);

Course Number 12: thence North 12°53'41" West along an Easterly line of said Lot Split and Consolidation Plat for Rite Aid of Ohio, Inc., a distance of 124.51 feet to a 1/2" iron pin;

Course Number 13: thence North 04°19'06" East along an Easterly line of said Lot Split and Consolidation Plat for Rite Aid of Ohio, Inc., a distance of 67.52 feet to a 5/8" iron pin;

Course Number 14: thence North 12°58'14" West along an Easterly line of said Lot Split and Consolidation Plat for Rite Aid of Ohio, Inc., a distance of 255.70 feet to the Point of Beginning and containing 3.8847 Acres of land more or less of which 0.1642 Acres lie within right of way leaving a net of 3.7205 Acres, as described from record plat by Scott J. Casey, Professional Surveyor Number 8219 on November 4th of 2015 and being subject to all legal highways, easements, reservations or restrictions of record.

