

RESOLUTION NO.: 34 -2009  
INTRODUCED BY: O'Toole

A RESOLUTION ACCEPTING THE DONATION TO THE CITY OF  
TWO PARCELS IN THE FORMER McKINLEY HEIGHTS  
SUBDIVISION.

WHEREAS, Donald C. and Cynthia Newlands, owners of two vacate parcels in the former McKinley Heights Subdivision (Permanent Parcel Nos. 661-01-003 and 661-01-007), wish to donate the two parcels to the City of Richmond Heights by General Warranty Deed; and

WHEREAS, this Council determines that the acceptance of these parcels furthers the public health, safety and general welfare of the community and furthers the public interest in providing open space and conservation areas in the City;

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The City of Richmond Heights hereby accepts the donation of Permanent Parcel Nos. 661-01-003 and 661-01-007 through a General Warranty Deed, a copy of which is attached hereto and incorporated herein as Exhibit A, and further directs the Mayor to sign the acceptance of said Deed and cause the Deed to be recorded with the Cuyahoga County Recorder's Office.

Section 2: The lands which are the subject of this Resolution are accepted by this Council for public purposes, that being for public open space and conservation purposes.

Section 3: It is 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 Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
David H. Roche

President of Council

## EXHIBIT A

### GENERAL WARRANTY DEED

Donald C. Newlands, married, of Cuyahoga County, Ohio, for valuable consideration paid, grant(s), with general warranty covenants, to the City of Richmond Heights, Ohio, a municipal corporation, whose tax mailing address is 26789 Highland Road, Richmond Heights, Ohio 44143, the following described Real Property:

#### PARCEL NO. 1 (PPN 661-01-003):

Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio and known as being Sublot 3 in the McKinley Heights Subdivision of part of original Euclid Township Tract No. 13, as shown by the recorded in Volume 89 of Maps, Page 28 of Cuyahoga County Records, as appears by said plat.

#### PARCEL NO. 2 (PPN 661-01-007):

Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio and known as being Sublot 7 in the McKinley Heights Subdivision of part of original Euclid Township Tract No. 13, as shown by the recorded in Volume 89 of Maps, Page 28 of Cuyahoga County Records, as appears by said plat.

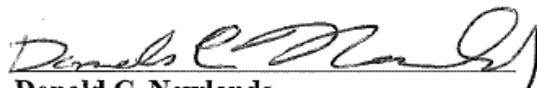
Prior Instrument Reference: Certificates of Transfer: Volume 144434 pg. 27 and Volume 14434 pg. 25

The real property described above is conveyed subject to, and there are excepted from the general warranty covenants, the following:

1. All easements, covenants, conditions and restrictions of record;
2. All legal highways;
3. Zoning, building and other laws, ordinances and regulations;
4. Real estate taxes and assessments not yet due and payable; and,
5. Rights of tenants in possession.

And Cynthia Newlands, the spouse of the Grantor, releases all rights of dower in the above described real property.

Signed this 8<sup>th</sup> day of June, 2009.

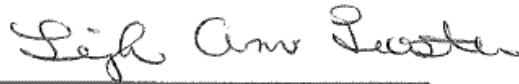
  
Donald C. Newlands  
Grantor

  
Cynthia Newlands  
Cynthia Newlands  
Spouse of Grantor

STATE OF OHIO )  
 )  
COUNTY OF Lake ) SS:

BE IT REMEMBERED, That on this 8<sup>th</sup> day of June, 2009, before me, the subscriber, a Notary Public in and for said county, personally came, **Donald C. Newlands**, the Grantor in the foregoing Deed, and acknowledged the signing thereof to be his/her voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

  
Leigh Ann Foster  
Notary Public

LEIGH ANN FOSTER, Notary Public  
In and for the State of Ohio  
My Commission Expires May 18, 2010



STATE OF OHIO )  
COUNTY OF Lake ) SS:

BE IT REMEMBERED, That on this 8<sup>th</sup> day of June, 2009, before me, the subscriber, a Notary Public in and for said county, personally came, **Cynthia Newlands**, spouse of Donald C. Newlands, the Grantor in the foregoing Deed, and acknowledged the signing thereof to be his/her voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



Leigh Ann Froster  
**Notary Public**

**LEIGH ANN FOSTER, Notary Public  
In and for the State of Ohio  
My Commission Expires May 18, 2010**

## ACCEPTANCE

On behalf of the City of Richmond Heights, Ohio, the undersigned does hereby accept this General Warranty Deed.

City of Richmond Heights, Ohio,  
a municipal corporation

By: \_\_\_\_\_  
Daniel J. Ursu, Mayor

Authorized by Resolution No. \_\_\_\_\_  
of the Council of the City of Richmond  
Heights.

This instrument was prepared by:  
**Walter & Haverfield LLP**  
1301 East 9<sup>th</sup> Street, Suite 3500  
Cleveland, Ohio 44114