

1 RESOLUTION NO. 2011-389

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3 SPONSOR Mr. Pry and Mr. Crawford

4 DATE October 3, 2011

5 COMMITTEE Planning

6  
7 **A Resolution authorizing the County Executive to execute a quit claim deed and any other**  
8 **documents necessary to convey to the Trustees of the Lakemore United Methodist Church**  
9 **the County's reversionary interest in 1536 and 1556 Flickinger Road (Parcel Nos. 5401863**  
10 **and 5401862) in the Village of Lakemore, in Council District 8, for the Executive, and**  
11 **declaring an emergency.**

12  
13 WHEREAS, on May 14, 1947, the Board of Commissioners of Summit County sold for  
14 \$100.00 after advertisement approximately 3.496 acres of real property to the Trustees of the  
15 Lakemore United Methodist Church (the "Church"), which currently comprises 1536 and 1556  
16 Flickinger Road (Parcel Nos. 5401863 and 5401862) (the "Property") in the Village of  
17 Lakemore, in Council District 8; and

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19 WHEREAS, the quit claim deed executed in 1947 includes a clause which provides that  
20 if the Property ceases to be used for "Church purposes only," the Property will revert to the  
21 County; and

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23 WHEREAS, the Church has represented to the County that if the reversionary interest  
24 clause remains attached to the Property, the Church will be unable to obtain bank financing for  
25 any future expansion of its facilities; and

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27 WHEREAS, for the aforementioned reasons, the Church has requested that the County  
28 convey its reversionary interest to the Church; and

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30 WHEREAS, Section 177.16(e) of the Codified Ordinances of the County of Summit  
31 allows the transfer of County-owned real property not needed for County operations to a non-  
32 profit corporation upon the approval of County Council; and

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34 WHEREAS, this Council has determined by reviewing all pertinent information that for  
35 the aforementioned reasons, it is necessary and in the best interest of the County of Summit to  
36 authorize the County Executive to execute a quit claim deed and any other documents necessary  
37 to convey to the Church the County's reversionary interest in the Property;

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39 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
40 of Ohio, that:

41  
42 SECTION 1

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44 The County Executive is hereby authorized to execute a quit claim deed and any other  
45 documents necessary to convey to the Trustees of the Lakemore United Methodist Church (the  
46 "Church") the County's reversionary interest in 1536 and 1556 Flickinger Road (Parcel Nos.  
47 5401863 and 5401862) (the "Property") in the Village of Lakemore, in Council District 8.  
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4 SECTION 2

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6 This Resolution is declared an emergency in the interest of the health, safety and welfare  
7 of the citizens of the County of Summit and for the further purpose of immediately authorizing  
8 the Executive to execute a quit claim deed and any other documents necessary to convey to the  
9 Church the County's reversionary interest in the Property.

10  
11 SECTION 3

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13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16  
17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED September 19, 2011

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28 ADOPTED October 3, 2011

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33 CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

34 APPROVED October 3, 2011

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38 \_\_\_\_\_  
39 EXECUTIVE

40 ENACTED EFFECTIVE October 3, 2011

Voice Vote:11-0 YES: Komunale, Crawford, Feeman, Kostandaras  
Lee, Kurt, Prentice, Rodgers, Roemer, Schmidt, Shapiro