



**William Biddlecombe**   **Joe Dike**   **Sam Artino**   **Monty Tapp**   **Mark Claus**   **Matt Grieves**   **Joel Hagy**  
Councilmember   Councilmember   Councilmember   Mayor   Vice-Mayor   Councilmember   Councilmember

**CITY COUNCIL — REGULAR COUNCIL MEETING**

Tuesday, September 26, 2023 @ 6:30 PM

City Council Chambers

417 Main Street

Huron, Ohio 44839

**I. Call to Order Public Hearing**

Moment of Silence followed by the Pledge of Allegiance to the Flag

**II. Public Hearing**

**II.a** Public Hearing on the re-zoning application of Sawmill Creek LLC on parcels annexed into the City of Huron from the current R-1 Single Family Residential to B-3 General Business.

**II.b** Swear in Witnesses

**II.c** Witness Testimony

**II.d** Motion to approve the re-zoning application of Sawmill Creek LLC on parcels annexed into the City of Huron from the current R-1 Single Family Residential to B-3 General Business.

**II.e** Adjourn Public Hearing

**III. Call To Order Regular Meeting of Huron City Council**

**IV. Roll Call of City Council**

**V. Approval of Minutes**

**V.a** Minutes of the regular Council meeting of September 12, 2023.

**VI. Audience Comments**

Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3-minute time limit).

**VII. Old Business**

**VII.a** Ordinance No. 2023-30 (**second reading**) (*submitted by Erik Engle*)

An ordinance amending and restating Chapter 1139.03(b) - Procedure for Change (relating to district boundaries or classifications of property as shown on the zoning map).

**VIII. New Business**

**VIII.a** Ordinance No. 2023-34 (**first reading**) (*submitted by Erik Engle*)

An ordinance authorizing rezoning of real property owned by Sawmill Creek LLC (PPN's 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-01076.001, 39-01076.017 & 39-01076.003) from the current R-1 (Single Family Residential) to B-3 (General Business).

**VIII.b** Ordinance No. 2023-32 (*submitted by Matt Lasko*)

An ordinance authorizing conveyance of real property located on Silvern Street (PPN: 43-00067.000) to the City of Huron, via Quit-Claim Deed from the Erie County Land Reutilization Corporation, for no consideration.

**VIII.c** Ordinance No. 2023-33 (*submitted by Cory Swaisgood*)

An appropriations ordinance.

**VIII.d** Resolution No. 63-2023 (*submitted by Matt Lasko*)

A resolution ratifying an application to the Erie County Land Reutilization Corporation for grant funds to be used to clear the site of Oster's Mobile Home Park.

**VIII.e** Resolution No. 64-2023 (*submitted by Chief Terry Graham*)

A resolution authorizing the City Manager to submit documentation to ODNR - Division of Watercraft for approval of the placement of Navigational Aids and acknowledging the City's intent of enforcement; and to make application for a navigational aids grant to replace damaged and/or lost buoys.

**VIII.f** Motion to set the re-zoning application of Lemmy's Restaurant on approximately 0.5597 acres of property comprised of 3 parcels (PPN's 43-00306.000, 43-00305.000& 43-00307.000) from the current R-1A Single Family Residential to B-3 General Business for a Public Hearing to be held on November 14, 2023 at 6:30pm in Council Chambers.

**VIII.g** Ordinance No. 2023-35 (*submitted by Matt Lasko*)

An ordinance ratifying execution of a First Amendment to Real Estate Purchase Agreement and Escrow Instruction, and authorizing execution of a Second Amendment to Real Estate Purchase Agreement and Escrow Instruction, both relating to purchase of the Oster's Mobile Home Park property.

**IX. City Manager's Discussion**

**X. Mayor's Discussion**

**XI. For the Good of the Order**

**XII. Executive Session(s)**

**XIII. Adjournment**

**CITY OF HURON**  
**APPLICATION TO RE-DISTRICT PROPERTY**  
(Type or Print)

Date : June 27, 2023

Property Owner: Sawmill Creek, LLC

Address: PO Box 543185

City, State, Zip: Dallas, TX 75354

Email Address: bwithrow@cedarfair.com

**Address of Property to be Rezoned:**

Shall be per all owned by "Sawmill Creek LLC" properties and as per the Signed Annexation Document attached.

**Parcel Number:** Shall be per all owned by "Sawmill Creek LLC" properties and as per the Signed Annexation Document

Applicant: (Name & Address - if different from the property owner)

Fox Architectural Design, LLC- Joshua Fox RA

3105 Huron Avery Rd, Huron, OH 44839

Current Zoning District of Subject Property:

R-1 ☒ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☐

I-1 ☐ I-2 ☐ Other: \_\_\_\_\_

Explain the reason that re-districting/re-zoning is being

requested: Pursuant to the previous site jurisdiction (Huron Township), all uses were conditional, however, upon the

annexation of Sawmill Creek, LLC into the City of Huron, Ohio limits, the codified ordinances automatically revert the zoning  
back to a R-1 Single Family zoning District, which does not currently allow for the non-conforming uses as they exist presently.

**Proposed Zoning District of Subject Property:**

R-1 ☐ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☒

I-1 ☐ I-2 ☐ Other: \_\_\_\_\_

Was a re-zoning request ever submitted for this property? No ☒ Yes ☐: Date \_\_\_\_\_

Is the applicant represented by legal counsel? Yes ☒ No ☐

If Yes, Counsel's Name and Address: Majeed G. Makhoulf- Berns, Ockner & Greenberger, LLC  
3733 Park East Dr. Suite 200, Beachwood, OH 44122

Contact Number and Email 234-349-2040 mmakhoulf@bernsockner.com

The following must be attached to this application:

1. A survey and legal description of the property. (Attached Find: "Signed Annexation Document" and "Alta Survey")
2. A map of the subject property (maximum size 11" x17")
3. A map of the subject property in relation to the adjoining properties.(max size 11" x 17")
4. A complete list of the names and current addresses of all property owners within 150' of the exterior boundaries of the subject property.
5. A \$250.00 non-refundable application fee, made payable to the City of Huron. (Section 1321.12 (c))

Applicant Signature: \_\_\_\_\_ Joshua C. Fox, Architect 06/27/23

Property Owner Signature: \_\_\_\_\_ Brian Witherow, Chief Financial Officer 06/27/23  
(required)

**DO NOT WRITE BELOW THIS LINE**

\*\*\*\*\*

Date Completed Application Received: \_\_\_\_\_

Zoning Department Representative: \_\_\_\_\_

Date Submitted to City Council: \_\_\_\_\_

Date Submitted to Planning Commission: \_\_\_\_\_



**Date:** June 27, 2023

**Project:** Sawmill Creek Properties- Rezoning

**PROPERTY OWNERS ADDRESSES  
BASED ON ERIE COUNTY FISCAL OFFICE'S CURRENT TAX LIST AS  
OF JUNE 27, 2023  
150' OF PARCEL  
June 27, 2023 (60 Properties)**

1. 39-61002.000  
STATE OF OHIO DEPT OF NAT RESOURCES  
2045 MORSE ROAD  
COLUMBUS OH 43229
2. 39-61008.000  
STATE OF OHIO DEPT OF NAT RESOURCES  
2045 MORSE ROAD  
COLUMBUS OH 43229
3. 39-00054.000  
POKORNY DONALD & ANN  
5665 GRACE WOODS DRIVE  
WILLOUGHBY OH 44094
4. 39-00053.001  
HURON ECONO LODGE LP 3/4 & RAF DEVELOPMENT CO INC 1/4  
C/O DENNIS MICHELSON  
6322 146TH ST S.W.  
EDMONDS WA 98026
5. 39-00052.000  
HILL GREGORY L & THOMAS G BLEILE  
609 MARINER VILLAGE  
HURON OH 44839

**LIST OF ADJACENT PROPERTIES**

- 6. 39-00052.000**  
**HILL GREGORY L & THOMAS G BLEILE**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
- 7. 39-01026.000**  
**HILL GREGORY L & LISA R**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
- 8. 39-01076.002**  
**HILL GREGORY L**  
**626 MARINER VILLAGE**  
**HURON OH 44839**
- 9. 39-00060.000**  
**BENNETT DANIEL F & KRISTINE M**  
**2408 CLEVELAND RD W**  
**HURON OH 44839**
- 10. 39-00419.000**  
**RESORT PROPERTIES MANAGEMENT LTD**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
- 11. 39-00353.000**  
**EISENBERG BERT E TRUSTEE**  
**7935 AIRPORT RD**  
**NAPLES FL 34109**

**LIST OF ADJACENT PROPERTIES**

- 12. 39-01089.000**  
**EISENBERG BERT E TRUSTEE**  
**7935 AIRPORT RD**  
**NAPLES FL 34109**
- 13. 39-01091.000**  
**LJJ OHIO LLC**  
**132 SHEPPARD AVE**  
**NY ONTARIO M2N 1M5**
- 14. 39-00534.000**  
**LINCOLN BROTHER PROPERTIES LLC**  
**50088 VENICE COURT**  
**NORTHVILLE MI 48168**
- 15. 39-01005.000**  
**ONE PARSEC LTD**  
**2115 CLEVELAND RD W**  
**HURON OH 44839**
- 16. 39-00930.001**  
**VILLA ON THE LAKE LIMITED PARTNERSHIP**  
**220 MARION AVE**  
**MANSFIELD OH 44903**
- 17. 39-01076.011**  
**DANIELS JOHN B & VICTORIA E CO TRUSTEES**  
**5221 SPRUCE POINTE LN**  
**BRUNSWICK OH 44212**

**18. 39-01076.028**

**MOLNAR PETER MICHAEL & KRISTINE L TRUSTEES  
4703 SE 17<sup>TH</sup> PLACE # 505  
CAPE CORAL FL 33904**

**19. 39-01076.023**

**MERRELL DANNY W & DENISE M PAJER-MERRELL  
324 SAWMILL CREEK DR  
HURON OH 44839**

**20. 39-01077.002**

**CLARK JUDITH A TRUSTEE  
402 TECUMSEH PLACE  
HURON OH 44839**

**21. 39-01077.008**

**YANUS GARY D  
14436 TRISKETT RD  
CLEVELAND OH 44111**

**22. 39-00986.000**

**VERMEEREN BARRY W & DIXIE A  
501 MARINER VILLAGE DR  
HURON OH 44839**

**23. 39-01026.002**

**VISCI JACQUELINE H TRUSTEE  
506 MARINER VILLAGE  
HURON OH 44839**



## LIST OF ADJACENT PROPERTIES

- 24. 39-01026.007**  
**511 MARINER VILLAGE LLC**  
**6572 BALLANTRAE PL**  
**DUBLIN OH 43016**
- 25. 39-01026.096**  
**BRIAN GARY S & VICTORIA**  
**51 MARINER VILLAGE**  
**HURON OH 44839**
- 26. 39-0126.096**  
**PARKER TONIA F & STEVEN L CONKLIN**  
**514 MARINER VILLAGE DR**  
**HURON OH 44839**
- 27. 39-01026.023**  
**523 MARINER VILLAGE LLC**  
**31108 HUNTINGTON WOODS PKWY**  
**BAY VILLAGE OH 44140**
- 28. 39-01026.016**  
**RUBICK WILLIAM D TRUSTEE**  
**525 MARINER VILLAGE**  
**HURON OH 44839**
- 29. 39-01026.011**  
**VOIGT CHERYL A TRUSTEE**  
**530 MARINER VILLAGE**  
**HURON OH 44839**

**LIST OF ADJACENT PROPERTIES**

**30. 39-01076.010  
THORSON DAVID L & RHONDA  
700 MARINER VILLAGE  
HURON OH 44839**

**31. 39-01076.013  
OZZIAC ENTERPRISES INC  
308 E PARK  
NORWALK OH 44857**

**32. 39-01076.007  
RUSSIN JEAN L TRUSTEE  
704 MARINER VILLAGE DR  
HURON OH 44839**

**33. 39-01076.009  
FRY JAMES D  
706 MARINER VILLAGE  
HURON OH 44839**

**34. 39-01026.095  
BARRY ELIZABETH M TRUSTEE  
315 BONNIE LANE  
AURORA OH 44202**

**35. 39-01076.019  
PUHALA PHILIP & BARBARA  
708 MARINERS VLG  
HURON OH 44839**

**LIST OF ADJACENT PROPERTIES**

**36. 39-01076.031**

**DORANCE JOHN W JR & MARTHA J TRUSTEES  
9965 CALLAWOODS DR  
CANFIELD OH 44406**

**37. 39-01026.081**

**COFFEY JOE A AND KAREN H TRUSTEES  
638 MARINER VILLAGE  
HURON OH 44839**

**38. 43-00221.000**

**RITTER DAVID L & DAYLE  
23 RYE BEACH RD  
HURON OH 44839**

**39. 43-00385.000**

**KERSTON JAMI S & DAVID E SHOCKLEY  
5779 PLANK DR  
HILLIARD OH 43026**

**40. 43-00143.000**

**TORQUATUS PROPERTIES LLC  
7255 CROSSLEIGH CT  
TOLEDO OH 43617**

**41. 43-00080.000**

**DEWITT LLAH E C/O TIM DEWITT  
106 FINAL TURN CR  
GEORGETOWN KY 40324**



## LIST OF ADJACENT PROPERTIES

**42. 43-00162.000**

**DUNHAM ADAM H & CARRIE C/O DAVID DUNHAM  
2107 E WATERBERRY DR  
HURON OH 44839**

**43. 43-00152.000**

**WELLY JANET K  
19287 SR 698  
JENERA OH 45841**

**44. 43-00269.000**

**MCCARTY WAYNE W & KATHY B  
28 SOUTH CT  
HURON OH 44839**

**45. 43-00038.000**

**THOMAS DOUGLAS WAYNE  
103 RYE BEACH ROAD  
HURON OH 44839**

**46. 43-00198.000**

**HARRIS THEA E TRUSTEE  
2104 LAKEWOOD AVE  
HURON OH 44839**

**47. 43-00365.000**

**BURRE WILLIAM T  
229 ATWOOD PL  
HURON OH 44839**



## LIST OF ADJACENT PROPERTIES

**48. 43-00128.000**

**TODD JAMES A & REBECCA D  
746 TOWNSHIP ROAD 2475  
LOUDONVILLE OH 44842**

**49. 43-00304.000**

**HARWOOD DAVID W  
37 OAKWOOD AVE  
HURON OH 44839**

**50. 43-00463.000**

**NORTON JENNIFER  
47 OAKWOOD AVE  
HURON OH 44839-1138**

**51. 43-00022.000**

**BARONE DONALD C  
104 RYE BEACH RD  
HURON OH 44839**

**52. 43-00348.000**

**SELKA TRICIA RENEE  
108 RYE BEACH RD  
HURON OH 44839**

**53. 43-00132.000**

**GLEASON BENJAMIN D  
4808 TIMBERVIEW DR  
VERMILION OH 44089**



## LIST OF ADJACENT PROPERTIES

**54. 43-00249.000**

**GARZA YOUNG ROBERT  
114 RYE BEACH RD  
HURON OH 44839**

**55. 43-00131.000**

**DOUBLER DAVID & TRACY  
2420 HOLLYLANE DR  
BROADVIEW HEIGHTS OH 44147**

**56. 43-00399.000**

**GILBERT RONALD E & KAY L CO-TRUSTEES  
1223 LAGUNA DR  
HURON OH 44839**

**57. 39-00060.000**

**BENNETT DANIEL F & KRISTINE M  
2408 CLEVELAND RD W  
HURON OH 44839**

**58. 39-60930.000**

**ERIE COUNTY BOARD OF COUNTY COMMISSIONERS  
247 COLUMBUS AVE. RM. 210  
SANDUSKY OH 44870**

**59. 43-62002.000**

**BOARD OF COUNTY COMMISSIONERS  
117 RYE BEACH RD  
HURON OH 44839**



**LIST OF ADJACENT PROPERTIES**

**60. 39-01076.007**

**RUSSIN JEAN L TRUSTEE  
704 MARINER VILLAGE DR  
HURON OH 44839**

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ROADWAY A - CURVE TABLE				
CURVE	CHS. 40	BASELINE CHS. 40	CHS. 40	CHS. 40
C10	187.40	186.00	187.20	187.10
C11	187.40	186.00	187.20	187.10
C12	187.40	186.00	187.20	187.10
C13	187.40	186.00	187.20	187.10
C14	187.40	186.00	187.20	187.10
C15	187.40	186.00	187.20	187.10
C16	187.40	186.00	187.20	187.10
C17	187.40	186.00	187.20	187.10
C18	187.40	186.00	187.20	187.10
C19	187.40	186.00	187.20	187.10
C20	187.40	186.00	187.20	187.10
C21	187.40	186.00	187.20	187.10
C22	187.40	186.00	187.20	187.10
C23	187.40	186.00	187.20	187.10
C24	187.40	186.00	187.20	187.10
C25	187.40	186.00	187.20	187.10
C26	187.40	186.00	187.20	187.10
C27	187.40	186.00	187.20	187.10
C28	187.40	186.00	187.20	187.10
C29	187.40	186.00	187.20	187.10
C30	187.40	186.00	187.20	187.10
C31	187.40	186.00	187.20	187.10
C32	187.40	186.00	187.20	187.10
C33	187.40	186.00	187.20	187.10
C34	187.40	186.00	187.20	187.10
C35	187.40	186.00	187.20	187.10
C36	187.40	186.00	187.20	187.10
C37	187.40	186.00	187.20	187.10
C38	187.40	186.00	187.20	187.10
C39	187.40	186.00	187.20	187.10
C40	187.40	186.00	187.20	187.10
C41	187.40	186.00	187.20	187.10
C42	187.40	186.00	187.20	187.10
C43	187.40	186.00	187.20	187.10
C44	187.40	186.00	187.20	187.10
C45	187.40	186.00	187.20	187.10
C46	187.40	186.00	187.20	187.10
C47	187.40	186.00	187.20	187.10
C48	187.40	186.00	187.20	187.10
C49	187.40	186.00	187.20	187.10
C50	187.40	186.00	187.20	187.10
C51	187.40	186.00	187.20	187.10
C52	187.40	186.00	187.20	187.10
C53	187.40	186.00	187.20	187.10
C54	187.40	186.00	187.20	187.10
C55	187.40	186.00	187.20	187.10
C56	187.40	186.00	187.20	187.10
C57	187.40	186.00	187.20	187.10
C58	187.40	186.00	187.20	187.10
C59	187.40	186.00	187.20	187.10
C60	187.40	186.00	187.20	187.10
C61	187.40	186.00	187.20	187.10
C62	187.40	186.00	187.20	187.10
C63	187.40	186.00	187.20	187.10
C64	187.40	186.00	187.20	187.10
C65	187.40	186.00	187.20	187.10
C66	187.40	186.00	187.20	187.10
C67	187.40	186.00	187.20	187.10
C68	187.40	186.00	187.20	187.10
C69	187.40	186.00	187.20	187.10
C70	187.40	186.00	187.20	187.10
C71	187.40	186.00	187.20	187.10
C72	187.40	186.00	187.20	187.10
C73	187.40			

DEFINITION			BROADWAY '85 TABLE			DEFINITION		
10	10	0 0 0 0 0 0 0 0	L96	BR	0 0 0 0 0 0 0 0	10	10	0 0 0 0 0 0 0 0
10.01	10.01	0 0 0 0 0 0 0 0	L97	BR	0 0 0 0 0 0 0 0	10.01	10.01	0 0 0 0 0 0 0 0
10.02	10.02	0 0 0 0 0 0 0 0	L98	BR	0 0 0 0 0 0 0 0	10.02	10.02	0 0 0 0 0 0 0 0
10.03	10.03	0 0 0 0 0 0 0 0	L99	BR	0 0 0 0 0 0 0 0	10.03	10.03	0 0 0 0 0 0 0 0
10.04	10.04	0 0 0 0 0 0 0 0	L100	BR	0 0 0 0 0 0 0 0	10.04	10.04	0 0 0 0 0 0 0 0
10.05	10.05	0 0 0 0 0 0 0 0	L101	BR	0 0 0 0 0 0 0 0	10.05	10.05	0 0 0 0 0 0 0 0
10.06	10.06	0 0 0 0 0 0 0 0	L102	BR	0 0 0 0 0 0 0 0	10.06	10.06	0 0 0 0 0 0 0 0
10.07	10.07	0 0 0 0 0 0 0 0	L103	BR	0 0 0 0 0 0 0 0	10.07	10.07	0 0 0 0 0 0 0 0
10.08	10.08	0 0 0 0 0 0 0 0	L104	BR	0 0 0 0 0 0 0 0	10.08	10.08	0 0 0 0 0 0 0 0
10.09	10.09	0 0 0 0 0 0 0 0	L105	BR	0 0 0 0 0 0 0 0	10.09	10.09	0 0 0 0 0 0 0 0
10.10	10.10	0 0 0 0 0 0 0 0	L106	BR	0 0 0 0 0 0 0 0	10.10	10.10	0 0 0 0 0 0 0 0
10.11	10.11	0 0 0 0 0 0 0 0	L107	BR	0 0 0 0 0 0 0 0	10.11	10.11	0 0 0 0 0 0 0 0
10.12	10.12	0 0 0 0 0 0 0 0	L108	BR	0 0 0 0 0 0 0 0	10.12	10.12	0 0 0 0 0 0 0 0
10.13	10.13	0 0 0 0 0 0 0 0	L109	BR	0 0 0 0 0 0 0 0	10.13	10.13	0 0 0 0 0 0 0 0
10.14	10.14	0 0 0 0 0 0 0 0	L110	BR	0 0 0 0 0 0 0 0	10.14	10.14	0 0 0 0 0 0 0 0
10.15	10.15	0 0 0 0 0 0 0 0	L111	BR	0 0 0 0 0 0 0 0	10.15	10.15	0 0 0 0 0 0 0 0
10.16	10.16	0 0 0 0 0 0 0 0	L112	BR	0 0 0 0 0 0 0 0	10.16	10.16	0 0 0 0 0 0 0 0
10.17	10.17	0 0 0 0 0 0 0 0	L113	BR	0 0 0 0 0 0 0 0	10.17	10.17	0 0 0 0 0 0 0 0
10.18	10.18	0 0 0 0 0 0 0 0	L114	BR	0 0 0 0 0 0 0 0	10.18	10.18	0 0 0 0 0 0 0 0
10.19	10.19	0 0 0 0 0 0 0 0	L115	BR	0 0 0 0 0 0 0 0	10.19	10.19	0 0 0 0 0 0 0 0
10.20	10.20	0 0 0 0 0 0 0 0	L116	BR	0 0 0 0 0 0 0 0	10.20	10.20	0 0 0 0 0 0 0 0
10.21	10.21	0 0 0 0 0 0 0 0	L117	BR	0 0 0 0 0 0 0 0	10.21	10.21	0 0 0 0 0 0 0 0
10.22	10.22	0 0 0 0 0 0 0 0	L118	BR	0 0 0 0 0 0 0 0	10.22	10.22	0 0 0 0 0 0 0 0
10.23	10.23	0 0 0 0 0 0 0 0	L119	BR	0 0 0 0 0 0 0 0	10.23	10.23	0 0 0 0 0 0 0 0
10.24	10.24	0 0 0 0 0 0 0 0	L120	BR	0 0 0 0 0 0 0 0	10.24	10.24	0 0 0 0 0 0 0 0
10.25	10.25	0 0 0 0 0 0 0 0	L121	BR	0 0 0 0 0 0 0 0	10.25	10.25	0 0 0 0 0 0 0 0
10.26	10.26	0 0 0 0 0 0 0 0	L122	BR	0 0 0 0 0 0 0 0	10.26	10.26	0 0 0 0 0 0 0 0
10.27	10.27	0 0 0 0 0 0 0 0	L123	BR	0 0 0 0 0 0 0 0	10.27	10.27	0 0 0 0 0 0 0 0
10.28	10.28	0 0 0 0 0 0 0 0	L124	BR	0 0 0 0 0 0 0 0	10.28	10.28	0 0 0 0 0 0 0 0
10.29	10.29	0 0 0 0 0 0 0 0	L125	BR	0 0 0 0 0 0 0 0	10.29	10.29	0 0 0 0 0 0 0 0
10.30	10.30	0 0 0 0 0 0 0 0	L126	BR	0 0 0 0 0 0 0 0	10.30	10.30	0 0 0 0 0 0 0 0
10.31	10.							

	PROPERTIES OWNED BY OTHERS
	PROPERTIES OWNED OR RETAINED BY GREGORY L. HILL & RAWMILL CREEK DEVELOPMENT, CO. LIMITED PARTNERSHIP
<h2 style="margin: 0;">FLOOD ZONE CLASSIFICATION</h2>	
Subject property is within Zone AE and Zone X. Zone AE is WITHIN a Special Flood Hazard Zone. Zone X is WITHIN an Flood Hazard Zone.	
<u>COMMUNITY-PANEL NO.:</u> 3904-3C0111D	<u>EFFECTIVE DATE:</u> August 28, 2008
<u>COMMUNITY-PANEL NO.:</u> 3904-3C0112E	<u>EFFECTIVE DATE:</u> November 19, 2014
<u><b>FLOODWAY AREAS IN ZONE AE:</b></u>	
The floodway is the channel of a stream plus any adjacent floodplain areas that will be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.	
	<u><b>ZONE AE:</b></u> Base flood elevations determined.
	<u><b>ZONE X:</b></u> Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
	<u><b>ZONE X:</b></u> Areas determined to be outside the 0.2% annual chance floodplain.

Subject property is within Zone AAE and Zone X. Zone AE is effective in Special Flood Hazard Zone. Zone X is not a Special Flood Hazard Zone.

COMMUNITY PANEL NO. 3904043120	WETTED DATE August 28, 2008
COMMUNITY PANEL NO. 3904043128	EFFECTIVE DATE November 19, 2014

**FLOODWAY AREAS IN ZONE AE:** The floodway is the channel of a stream plus the adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be stored without substantial increases in flood heights.

**ZONE AE:** Base flood elevation determined.

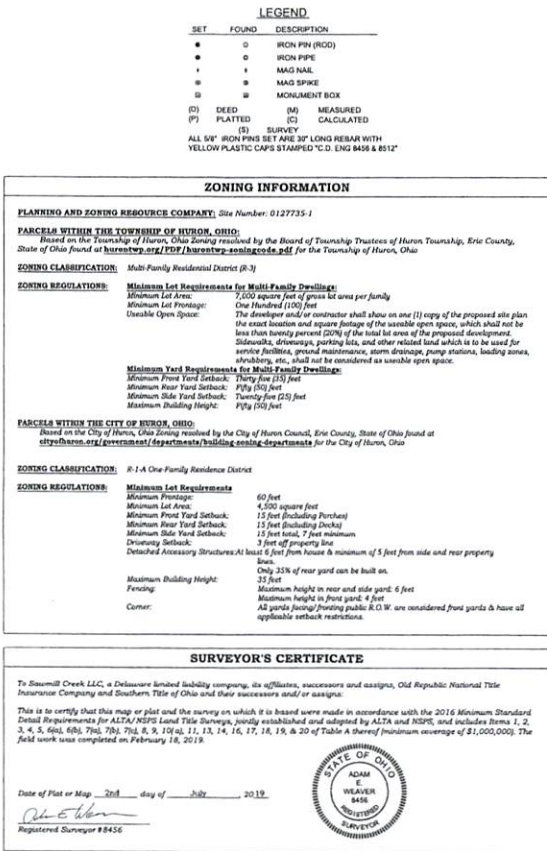
**ZONE X:**

- Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile and areas protected by levees.
- Areas determined to be between the 0.2% annual chance floodplain.

NO.	DESCRIPTION
1	COVER SHEET
2	LEGAL DESCRIPTIONS
3	OVERALL SURVEY & SCHEDULE D TABLE
4	SOUTH HALF OF SAWMILL CREEK SURVEY
5	NORTH HALF OF SAWMILL CREEK SURVEY
6	MARINA SURVEY
7	TORQUATUS BEACH SUBDIVISION SURVEY & EASEMENTS
8	SOUTH HALF OF SAWMILL CREEK EASEMENTS
9	NORTH HALF OF SAWMILL CREEK EASEMENTS
10	MARINA EASEMENTS
11	SOUTH HALF OF SAWMILL CREEK ALTA/NSPS LAND SURVEY
12	HOTEL ALTA/NSPS LAND SURVEY AREA
13	NORTH HALF OF SAWMILL CREEK ALTA/NSPS LAND SURVEY
14	MARINA ALTA/NSPS SURVEY AREA
15	BUILDING DIMENSIONS

NOTES PERTAINING TO ALTA/NSPS TABLE A ITEMS	
16.	No observed evidence of current earth surface work.
17.	No information of changes in street right-of-way lines or observed evidence of recent street or sidewalk construction repairs.
18.	No markers observed for Wetlands Delineation. Wetlands were taken from the U.S. Fish and Wildlife Service National Wetlands Inventory.
19.	Offsite easements benefiting the surveyed property were found or provided.
20.	Professional Liability Insurance Policy of \$1,000,000 in effect throughout contract term.



ALTANPINS LAND TITLE SURVEY SAWMILL CREEK HURON TOWNSHIP, ERIE COUNTY, OHIO COVER SHEET									
									
SCALE: NTS	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">DATE: JULY 2019</td> <td style="width: 25%;">REV: 00</td> <td style="width: 25%;">ASW</td> <td style="width: 25%;"></td> </tr> <tr> <td>DATE: 01/01/2019</td> <td>REV: 01</td> <td>DAWM</td> <td></td> </tr> </table>	DATE: JULY 2019	REV: 00	ASW		DATE: 01/01/2019	REV: 01	DAWM	
DATE: JULY 2019	REV: 00	ASW							
DATE: 01/01/2019	REV: 01	DAWM							





**TO:** Mayor Tapp and City Council  
**FROM:** Terri Welkener , Clerk of Council  
**RE:** Ordinance No. 2023-30 **(second reading)** *(submitted by Erik Engle)*  
**DATE:** September 26, 2023

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### **Subject Matter/Background**

The purpose for this change is to streamline the process for applications for change of district boundaries or classifications of property as shown on the Zoning Map. Currently, applications are filed with Council and, in turn, subsequently submitted to the Planning Commission. With the new proposed change, if adopted, applicants will file their application directly with the Planning Commission, eliminating the need to present applications to Council. Research has indicated the majority of municipalities that SSEG researched have similar processes (applications direct to Planning Commission). There are no other changes to section 1139.03.

There have been no changes made to this legislation since the first reading on September 12, 2023.

### **Financial Review**

There is no financial impact to the City related to this code change.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion to place Ordinance No. 2023-30 on its second reading is in order.

[Ordinance No. 2023-30 Repeal and Adopt Section 1139.03\(b\).docx](#)

[Ordinance No. 2023-30 Exh A Ordinance 1139.03.docx](#)

[Ordinance No. 2023-30 Exh B Ordinance 1139.03.docx](#)

ORDINANCE NO. 2023-30  
Introduced by Mark Claus

AN ORDINANCE AMENDING AND RESTATING CHAPTER 1139.03(b) (PROCEDURE FOR CHANGE [RELATING TO DISTRICT BOUNDARIES OR CLASSIFICATIONS OF PROPERTY AS SHOWN ON THE ZONING MAP]).

WHEREAS, City Staff and counsel for the City have evaluated Chapter 1139.03(b) and determined that various provisions are in need of enhancement and improvement to more efficiently and effectively process applications for change of district boundaries or classifications of property as shown on the Zoning Map, and to ensure the effective and efficient operation of the City pertaining to such matters;

WHEREAS, the City hereby adopts a new and amended and restated Ordinance to repeal and amend and restate Chapter 1139.03(b) (Procedure for Change [relating to District Boundaries or Classifications of Property a shown on the Zoning Map]) to address the concerns of the City Staff and counsel for the City on such matters.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1: That Chapter 1139.03(b) (Procedure for Change [relating to District Boundaries or Classifications of Property a shown on the Zoning Map]) of the Codified Ordinances of the City of Huron, Ohio WHICH CURRENTLY READS AS FOLLOWS: (refer to Exhibit "A" attached), shall be and hereby is repealed.

Section 2: That Chapter 1139.03(b) (Procedure for Change [relating to District Boundaries or Classifications of Property a shown on the Zoning Map]) of the Codified Ordinances of the City of Huron, Ohio is hereby amended to read as follows: (refer to Exhibit "B" attached) and shall be and hereby is adopted.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

---

Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_

## **Exhibit A**

(b) Procedure for Change. Applications for change of district boundaries or classifications of property as shown on the Zoning Map shall be filed with Council and in turn shall be submitted to the Commission, which shall be allowed a reasonable time, not less than thirty days, for consideration and report to Council. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

- (1) List of property owners. Any person or persons desiring change in the zoning classification of property shall file with the application for such change a statement giving the names and addresses of the owners of all properties lying within 150 feet of any part of the exterior boundaries of the premises the zoning classification of which is proposed to be changed.
- (2) Notice and hearing. Before submitting its recommendations on a proposed amendment or reclassification to Council, the Commission may hold a public hearing thereon, notice of which shall be given by one publication in a newspaper of general circulation in the City at least ten days before the date of such hearing. The notice shall state the place and time at which the proposed amendment to the Ordinance, including text and maps, may be examined. If the Ordinance intends to rezone or redistrict ten or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council by first-class mail, at least twenty days before the date of the public hearing, to the owners of property within and contiguous to and directly across the street from such parcel or parcels, to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list. The failure of delivery of such notice shall not invalidate any such ordinance.
- (3) Recommendation to Council. Following their review, the Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be certified to Council.
- (4) Council hearing. After receiving from the Commission the certification of such recommendations on the proposed amendment or amendments, and before adoption of such amendment, Council shall hold a public hearing thereon, at least thirty days' notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the City.
- (5) Council; final action. Following such hearing and after reviewing the recommendations of the Commission thereon, Council shall consider such recommendations and vote on the passage of the proposed amendment to the text of the Ordinance or the Zoning Map. Council may overrule the recommendations of the Commission by a majority vote of the full embership of Council. Whenever a written protest against such proposed amendment or reclassification, signed by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the Commission and Council, the ordinance providing for such proposed amendment or reclassification shall not be passed except by a majority vote of Council.
- (6) Fees. Each application for a zoning amendment, except those initiated by the Planning Commission, shall be accompanied by a fee as prescribed by Council in Section 1321.12 of the Building Code to cover the costs of publishing, posting and/or mailing notices of hearings.  
(Ord. 2012-32. Passed 7-24-12.)

## **Exhibit B**

(b) Procedure for Change. Applications for change of district boundaries or classifications of property as shown on the Zoning Map shall be submitted to the Commission (with a copy provided to the Clerk of Council), which Commission shall be allowed a reasonable time, not less than thirty days, for submitting its recommendations on a proposed amendment or reclassification to Council. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

- (1) List of property owners. Any person or persons desiring change in the zoning classification of property shall file with the application for such change a statement giving the names and addresses of the owners of all properties lying within 150 feet of any part of the exterior boundaries of the premises the zoning classification of which is proposed to be changed.
  - (2) Notice and hearing. Before submitting its recommendations on a proposed amendment or reclassification to Council, the Commission may hold a public hearing thereon, notice of which shall be given by one publication in a newspaper of general circulation in the City at least ten days before the date of such hearing. The notice shall state the place and time at which the proposed amendment to the Ordinance, including text and maps, may be examined. If the Ordinance intends to rezone or redistrict ten or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council by first-class mail, at least twenty days before the date of the public hearing, to the owners of property within and contiguous to and directly across the street from such parcel or parcels, to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list. The failure of delivery of such notice shall not invalidate any such ordinance.
  - (3) Recommendation to Council. Following their review, the Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be certified to Council.
  - (4) Council hearing. After receiving from the Commission the certification of such recommendations on the proposed amendment or amendments, and before adoption of such amendment, Council shall hold a public hearing thereon, at least thirty days' notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the City.
  - (5) Council; final action. Following such hearing and after reviewing the recommendations of the Commission thereon, Council shall consider such recommendations and vote on the passage of the proposed amendment to the text of the Ordinance or the Zoning Map. Council may overrule the recommendations of the Commission by a majority vote of the full membership of Council. Whenever a written protest against such proposed amendment or reclassification, signed by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the Commission and Council, the ordinance providing for such proposed amendment or reclassification shall not be passed except by a majority vote of Council.
  - (6) Fees. Each application for a zoning amendment, except those initiated by the Planning Commission, shall be accompanied by a fee as prescribed by Council in Section 1321.12 of the Building Code to cover the costs of publishing, posting and/or mailing notices of hearings.
- (Ord. 2012-32. Passed 7-24-12.)



**TO:** Mayor Tapp and City Council  
**FROM:** Erik Engle  
**RE:** Ordinance No. 2023-34 **(first reading)** *(submitted by Erik Engle)*  
**DATE:** September 26, 2023

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### **Subject Matter/Background**

On June 27, 2023, Sawmill Creek LLC submitted an application to the Building & Zoning Department requesting re-zoning of their recently annexed property (Ordinance No. 2022-52 adopted on October 11, 2023) located on the north side of Cleveland Road (PPN's 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-01076.001, 39-01076.017 & 39-01076.003) from its current R-1 (Single Family Residential) to B-3 (General Business).

Upon annexation of the approximately 182.32 +/- acres of property (more commonly known as Sawmill Creek Resort) into the City of Huron, the codified ordinances automatically reverted the zoning back to R-1 (Single Family Residential), which does not currently allow for non-conforming uses as they exist presently. Council referred the matter to the Planning Commission by motion unanimously passed on July 11, 2023, and the Planning Commission scheduled and held a Public Hearing on the matter on August 16, 2023, which resulted in the Planning Commission recommending approval to Council.

City Council subsequently passed a motion to schedule a Public Hearing on the Re-Zoning Application to be held on September 26, 2023. If Council approves the Application, the last step is to adopt Ordinance No. 2023-34 after 3 readings, which will amend the official Zoning Map of the City of Huron to reflect the re-zoning of the subject property from R-1 to B-3.

### **Financial Review**

There is no financial impact to the City relating to this legislation.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2023-34 on its first reading is in order.

[Ordinance No. 2023-34 Sawmill Creek Resort Rezoning Ordinance \(1\).docx](#)  
[Sawmill Creek Rezoning Application \(Public Hearnig\).pdf](#)

## **ORDINANCE NO. 2023-34**

Introduced by Sam Artino

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HURON TO REFLECT THE REZONING OF APPROXIMATELY 182.32 +/- ACRES OF LAND OWNED BY SAWMILL CREEK LLC, LOCATED ON THE NORTH SIDE OF CLEVELAND ROAD, ERIE COUNTY, OHIO PERMANENT PARCEL NUMBERS 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-01076.001, 39-01076.017 & 39-01076.003 FROM THE CURRENT R-1 (SINGLE FAMILY RESIDENTIAL) TO B-3 (GENERAL BUSINESS)**

**WHEREAS**, pursuant to Section 1121.05 (a) of the Codified Ordinances, the City is divided into nine categories of zoning districts, and;

**WHEREAS**, Section 1121.05 (b) of the Codified Ordinances prescribes that all zoning districts be duly approved and recorded on an adopted Zoning Map on file in the Office of the City Clerk, and;

**WHEREAS**, Sawmill Creek LLC submitted an application to rezone approximately 182.32 +/- acres of land located on the north side of Cleveland Road, Erie County, Ohio Permanent Parcel Numbers 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-01076.001, 39-01076.017 & 39-01076.003 (hereinafter the "Property"), from R-1 (Single Family Residential) to B-3 (General Business); and

**WHEREAS**, pursuant to Section 1139.03 of the Codified Ordinances, the rezoning application has proceeded through a process of public hearing review and recommendation by the Planning Commission on August 16, 2023; and

**WHEREAS**, the Huron City Council was advised of the Planning Commission recommendation to support the rezoning request as presented; and

**WHEREAS**, Huron City Council, as required by Section 1139.03 of the Codified Ordinances, held a Public Hearing on the proposed rezoning request on September 26, 2023, and finds and concludes that the rezoning application should be approved because it promotes the public necessity, convenience and general welfare, and further constitutes good zoning practice.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

**SECTION 1.** That the official Zoning Map for the City of Huron previously adopted on December 27, 2016 by Ordinance 2016-33 shall be and hereby is amended to change the zoning classification of the Property known as Sawmill Creek Resort on the north side of Cleveland Road, Erie County, Ohio Permanent Parcel Numbers 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-

01076.001, 39-01076.017 & 39-01076.003, from R-1 (Single Family Residential) to B-3 (General Business) and shall supersede all previously published zoning maps for the City.

**SECTION 2.** It is 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 this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

---

Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_

**CITY OF HURON**  
**APPLICATION TO RE-DISTRICT PROPERTY**  
(Type or Print)

Date : June 27, 2023

Property Owner: Sawmill Creek, LLC

Address: PO Box 543185

City, State, Zip: Dallas, TX 75354

Email Address: bwithrow@cedarfair.com

**Address of Property to be Rezoned:**

Shall be per all owned by "Sawmill Creek LLC" properties and as per the Signed Annexation Document attached.

**Parcel Number:** Shall be per all owned by "Sawmill Creek LLC" properties and as per the Signed Annexation Document

Applicant: (Name & Address - if different from the property owner)

Fox Architectural Design, LLC- Joshua Fox RA

3105 Huron Avery Rd, Huron, OH 44839

Current Zoning District of Subject Property:

R-1 ☒ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☐

I-1 ☐ I-2 ☐ Other: \_\_\_\_\_

Explain the reason that re-districting/re-zoning is being

requested: Pursuant to the previous site jurisdiction (Huron Township), all uses were conditional, however, upon the

annexation of Sawmill Creek, LLC into the City of Huron, Ohio limits, the codified ordinances automatically revert the zoning  
back to a R-1 Single Family zoning District, which does not currently allow for the non-conforming uses as they exist presently.

**Proposed Zoning District of Subject Property:**

R-1 ☐ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☒

I-1 ☐ I-2 ☐ Other: \_\_\_\_\_

Was a re-zoning request ever submitted for this property? No ☒ Yes ☐: Date \_\_\_\_\_

Is the applicant represented by legal counsel? Yes ☒ No ☐

If Yes, Counsel's Name and Address: Majeed G. Makhoulf- Berns, Ockner & Greenberger, LLC  
3733 Park East Dr. Suite 200, Beachwood, OH 44122

Contact Number and Email 234-349-2040 mmakhoulf@bernsockner.com

The following must be attached to this application:

1. A survey and legal description of the property. (Attached Find: "Signed Annexation Document" and "Alta Survey")
2. A map of the subject property (maximum size 11" x17")
3. A map of the subject property in relation to the adjoining properties.(max size 11" x 17")
4. A complete list of the names and current addresses of all property owners within 150' of the exterior boundaries of the subject property.
5. A \$250.00 non-refundable application fee, made payable to the City of Huron. (Section 1321.12 (c))

Applicant Signature: \_\_\_\_\_ Joshua C. Fox, Architect 06/27/23

Property Owner Signature: \_\_\_\_\_ Brian Witherow, Chief Financial Officer 06/27/23  
(required)

**DO NOT WRITE BELOW THIS LINE**

\*\*\*\*\*

Date Completed Application Received: \_\_\_\_\_

Zoning Department Representative: \_\_\_\_\_

Date Submitted to City Council: \_\_\_\_\_

Date Submitted to Planning Commission: \_\_\_\_\_



**Date:** June 27, 2023

**Project:** Sawmill Creek Properties- Rezoning

**PROPERTY OWNERS ADDRESSES  
BASED ON ERIE COUNTY FISCAL OFFICE'S CURRENT TAX LIST AS  
OF JUNE 27, 2023  
150' OF PARCEL  
June 27, 2023 (60 Properties)**

1. **39-61002.000**  
STATE OF OHIO DEPT OF NAT RESOURCES  
2045 MORSE ROAD  
COLUMBUS OH 43229
2. **39-61008.000**  
STATE OF OHIO DEPT OF NAT RESOURCES  
2045 MORSE ROAD  
COLUMBUS OH 43229
3. **39-00054.000**  
POKORNY DONALD & ANN  
5665 GRACE WOODS DRIVE  
WILLOUGHBY OH 44094
4. **39-00053.001**  
HURON ECONO LODGE LP 3/4 & RAF DEVELOPMENT CO INC 1/4  
C/O DENNIS MICHELSON  
6322 146TH ST S.W.  
EDMONDS WA 98026
5. **39-00052.000**  
HILL GREGORY L & THOMAS G BLEILE  
609 MARINER VILLAGE  
HURON OH 44839

**LIST OF ADJACENT PROPERTIES**

- 6. 39-00052.000**  
**HILL GREGORY L & THOMAS G BLEILE**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
  
- 7. 39-01026.000**  
**HILL GREGORY L & LISA R**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
  
- 8. 39-01076.002**  
**HILL GREGORY L**  
**626 MARINER VILLAGE**  
**HURON OH 44839**
  
- 9. 39-00060.000**  
**BENNETT DANIEL F & KRISTINE M**  
**2408 CLEVELAND RD W**  
**HURON OH 44839**
  
- 10. 39-00419.000**  
**RESORT PROPERTIES MANAGEMENT LTD**  
**609 MARINER VILLAGE**  
**HURON OH 44839**
  
- 11. 39-00353.000**  
**EISENBERG BERT E TRUSTEE**  
**7935 AIRPORT RD**  
**NAPLES FL 34109**

**LIST OF ADJACENT PROPERTIES**

- 12. 39-01089.000**  
**EISENBERG BERT E TRUSTEE**  
**7935 AIRPORT RD**  
**NAPLES FL 34109**
- 13. 39-01091.000**  
**LJJ OHIO LLC**  
**132 SHEPPARD AVE**  
**NY ONTARIO M2N 1M5**
- 14. 39-00534.000**  
**LINCOLN BROTHER PROPERTIES LLC**  
**50088 VENICE COURT**  
**NORTHVILLE MI 48168**
- 15. 39-01005.000**  
**ONE PARSEC LTD**  
**2115 CLEVELAND RD W**  
**HURON OH 44839**
- 16. 39-00930.001**  
**VILLA ON THE LAKE LIMITED PARTNERSHIP**  
**220 MARION AVE**  
**MANSFIELD OH 44903**
- 17. 39-01076.011**  
**DANIELS JOHN B & VICTORIA E CO TRUSTEES**  
**5221 SPRUCE POINTE LN**  
**BRUNSWICK OH 44212**

**18. 39-01076.028**

**MOLNAR PETER MICHAEL & KRISTINE L TRUSTEES  
4703 SE 17<sup>TH</sup> PLACE # 505  
CAPE CORAL FL 33904**

**19. 39-01076.023**

**MERRELL DANNY W & DENISE M PAJER-MERRELL  
324 SAWMILL CREEK DR  
HURON OH 44839**

**20. 39-01077.002**

**CLARK JUDITH A TRUSTEE  
402 TECUMSEH PLACE  
HURON OH 44839**

**21. 39-01077.008**

**YANUS GARY D  
14436 TRISKETT RD  
CLEVELAND OH 44111**

**22. 39-00986.000**

**VERMEEREN BARRY W & DIXIE A  
501 MARINER VILLAGE DR  
HURON OH 44839**

**23. 39-01026.002**

**VISCI JACQUELINE H TRUSTEE  
506 MARINER VILLAGE  
HURON OH 44839**



## LIST OF ADJACENT PROPERTIES

- 24. 39-01026.007**  
**511 MARINER VILLAGE LLC**  
**6572 BALLANTRAE PL**  
**DUBLIN OH 43016**
  
- 25. 39-01026.096**  
**BRIAN GARY S & VICTORIA**  
**51 MARINER VILLAGE**  
**HURON OH 44839**
  
- 26. 39-0126.096**  
**PARKER TONIA F & STEVEN L CONKLIN**  
**514 MARINER VILLAGE DR**  
**HURON OH 44839**
  
- 27. 39-01026.023**  
**523 MARINER VILLAGE LLC**  
**31108 HUNTINGTON WOODS PKWY**  
**BAY VILLAGE OH 44140**
  
- 28. 39-01026.016**  
**RUBICK WILLIAM D TRUSTEE**  
**525 MARINER VILLAGE**  
**HURON OH 44839**
  
- 29. 39-01026.011**  
**VOIGT CHERYL A TRUSTEE**  
**530 MARINER VILLAGE**  
**HURON OH 44839**

**LIST OF ADJACENT PROPERTIES**

**30. 39-01076.010  
THORSON DAVID L & RHONDA  
700 MARINER VILLAGE  
HURON OH 44839**

**31. 39-01076.013  
OZZIAC ENTERPRISES INC  
308 E PARK  
NORWALK OH 44857**

**32. 39-01076.007  
RUSSIN JEAN L TRUSTEE  
704 MARINER VILLAGE DR  
HURON OH 44839**

**33. 39-01076.009  
FRY JAMES D  
706 MARINER VILLAGE  
HURON OH 44839**

**34. 39-01026.095  
BARRY ELIZABETH M TRUSTEE  
315 BONNIE LANE  
AURORA OH 44202**

**35. 39-01076.019  
PUHALA PHILIP & BARBARA  
708 MARINERS VLG  
HURON OH 44839**

**LIST OF ADJACENT PROPERTIES**

**36. 39-01076.031**

**DORANCE JOHN W JR & MARTHA J TRUSTEES  
9965 CALLAWOODS DR  
CANFIELD OH 44406**

**37. 39-01026.081**

**COFFEY JOE A AND KAREN H TRUSTEES  
638 MARINER VILLAGE  
HURON OH 44839**

**38. 43-00221.000**

**RITTER DAVID L & DAYLE  
23 RYE BEACH RD  
HURON OH 44839**

**39. 43-00385.000**

**KERSTON JAMI S & DAVID E SHOCKLEY  
5779 PLANK DR  
HILLIARD OH 43026**

**40. 43-00143.000**

**TORQUATUS PROPERTIES LLC  
7255 CROSSLEIGH CT  
TOLEDO OH 43617**

**41. 43-00080.000**

**DEWITT LLAH E C/O TIM DEWITT  
106 FINAL TURN CR  
GEORGETOWN KY 40324**



## LIST OF ADJACENT PROPERTIES

**42. 43-00162.000**

**DUNHAM ADAM H & CARRIE C/O DAVID DUNHAM  
2107 E WATERBERRY DR  
HURON OH 44839**

**43. 43-00152.000**

**WELLY JANET K  
19287 SR 698  
JENERA OH 45841**

**44. 43-00269.000**

**MCCARTY WAYNE W & KATHY B  
28 SOUTH CT  
HURON OH 44839**

**45. 43-00038.000**

**THOMAS DOUGLAS WAYNE  
103 RYE BEACH ROAD  
HURON OH 44839**

**46. 43-00198.000**

**HARRIS THEA E TRUSTEE  
2104 LAKEWOOD AVE  
HURON OH 44839**

**47. 43-00365.000**

**BURRE WILLIAM T  
229 ATWOOD PL  
HURON OH 44839**



## LIST OF ADJACENT PROPERTIES

**48. 43-00128.000**

**TODD JAMES A & REBECCA D  
746 TOWNSHIP ROAD 2475  
LOUDONVILLE OH 44842**

**49. 43-00304.000**

**HARWOOD DAVID W  
37 OAKWOOD AVE  
HURON OH 44839**

**50. 43-00463.000**

**NORTON JENNIFER  
47 OAKWOOD AVE  
HURON OH 44839-1138**

**51. 43-00022.000**

**BARONE DONALD C  
104 RYE BEACH RD  
HURON OH 44839**

**52. 43-00348.000**

**SELKA TRICIA RENEE  
108 RYE BEACH RD  
HURON OH 44839**

**53. 43-00132.000**

**GLEASON BENJAMIN D  
4808 TIMBERVIEW DR  
VERMILION OH 44089**



## LIST OF ADJACENT PROPERTIES

**54. 43-00249.000**

**GARZA YOUNG ROBERT  
114 RYE BEACH RD  
HURON OH 44839**

**55. 43-00131.000**

**DOUBLER DAVID & TRACY  
2420 HOLLYLANE DR  
BROADVIEW HEIGHTS OH 44147**

**56. 43-00399.000**

**GILBERT RONALD E & KAY L CO-TRUSTEES  
1223 LAGUNA DR  
HURON OH 44839**

**57. 39-00060.000**

**BENNETT DANIEL F & KRISTINE M  
2408 CLEVELAND RD W  
HURON OH 44839**

**58. 39-60930.000**

**ERIE COUNTY BOARD OF COUNTY COMMISSIONERS  
247 COLUMBUS AVE. RM. 210  
SANDUSKY OH 44870**

**59. 43-62002.000**

**BOARD OF COUNTY COMMISSIONERS  
117 RYE BEACH RD  
HURON OH 44839**



**LIST OF ADJACENT PROPERTIES**

**60. 39-01076.007**

**RUSSIN JEAN L TRUSTEE  
704 MARINER VILLAGE DR  
HURON OH 44839**

# ALTA/NSPS LAND TITLE SURVEY FOR SAWMILL CREEK

Being part of Original Lot 25, Section 3 and part of Original Lots 30, 35 & 36, Section 2  
Township 6 North, Range 22 West, Huron Township & Original Lot 31, City of Huron, Erie County,  
Firelands Connecticut Western Reserve, State of Ohio.

## PLAT REFERENCES

Plat Volume 8, Page 23  
Plat Volume 24, Page 68  
Plat Volume 25, Page 2  
Plat Volume 26, Page 18  
Plat Volume 26, Page 14  
Plat Volume 27, Page 13  
Plat Volume 27, Page 22  
Plat Volume 27, Page 48  
Plat Volume 28, Page 56  
Plat Volume 30, Page 1  
Plat Volume 35, Page 43  
Plat Volume 36, Page 84  
Plat Volume 36, Page 45  
Plat Volume 37, Page 53  
Plat Volume 38, Page 25  
Plat Volume 39, Page 18  
Plat Volume 40, Page 48  
Plat Volume 43, Page 42  
Plat Volume 44, Page 78  
Plat Volume 46, Page 19  
Plat Volume 46, Page 77  
Plat Volume 46, Page 67

## SURVEY REFERENCES

Survey by Reuter Survey Company for  
Sawmill Creek Association  
Dated: 1976  
Survey by Subangula & Associates for  
Wildlife Realty  
Dated: 1988  
Survey by Subangula & Associates for  
Sawmill Creek Lodge Co.  
Dated: 1997  
Survey by Garcia Surveyors, Inc.  
Dated: 2012

## ROADWAY PLANS REFERENCES

State Route 6, Huron Twp., Sec. 1 & 2 Plans  
Dated: 1932  
E86-14-93 Plans  
Erie County Free Beach Road Plans  
Dated: 1997  
City of Huron Free Beach Road Plans  
HUR-057-24-05  
Dated: 1992

ROADWAY 'A' CURVE TABLE					
CHORD	CURVE LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARINGS	CHORD DISTANCE
C1	118.43	30.00	171° 11' 49"	S 82° 41' 19" E	118.43
C2	187.43	248.00	50° 41' 32"	S 82° 09' 11" E	188.17
C3	93.80	13.00	141° 12' 58"	S 27° 12' 42" E	94.38
C4	44.70	85.52	38° 58' 38"	S 82° 25' 08" E	44.39
C5	77.49	144.00	30° 30' 00"	S 81° 52' 30" E	78.41
C6	234.89	634.00	30° 30' 00"	S 79° 42' 30" E	234.89
C7	131.00	313.00	51° 32' 38"	S 87° 14' 04" E	134.86
C8	16.87	168.00	30° 30' 00"	S 82° 12' 12" E	16.86
C9	78.36	424.30	32° 32' 00"	S 82° 08' 00" E	79.39
C10	83.96	363.00	32° 32' 00"	S 82° 14' 27" E	85.00
C11	14.77	448.00	81° 14' 38"	S 82° 11' 40" E	14.77
C12	28.42	313.00	87° 06' 51"	S 82° 49' 42" E	29.38
C13	48.89	48.89	87° 06' 51"	S 82° 49' 42" E	48.78
C14	42.78	198.00	82° 56' 11"	S 82° 47' 42" E	41.47
C15	277.48	647.00	82° 56' 11"	S 82° 47' 42" E	282.50
C16	16.87	85.00	84° 08' 08"	S 27° 15' 04" E	16.27
C17	13.04	268.00	81° 34' 34"	S 80° 32' 51" E	13.04
C18	26.08	513.00	80° 34' 34"	S 80° 32' 51" E	26.08
C19	33.87	128.00	12° 49' 11"	S 12° 14' 37" E	33.32
C20	82.88	483.00	12° 49' 11"	S 12° 14' 37" E	81.47
C21	64.30	74.30	50° 18' 04"	S 80° 28' 15" E	61.84
C22	113.10	207.00	41° 32' 38"	S 87° 14' 04" E	108.47
C23	158.89	428.00	30° 30' 00"	S 79° 42' 30" E	159.00
C24	40.80	117.00	30° 30' 00"	S 81° 52' 30" E	40.37
C25	94.87	144.00	30° 30' 00"	S 81° 52' 30" E	95.31
C26	17.30	15.69	14° 14' 00"	S 82° 58' 34" E	17.37
C27	76.80	76.80	14° 14' 00"	S 82° 58' 34" E	76.84
C28	308.28	271.00	87° 31' 31"	S 87° 07' 10" E	307.84
C29	203.10	188.00	31° 11' 44"	S 82° 02' 18" E	203.10

ROADWAY 'B' CURVE TABLE					
CHORD	CURVE LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARINGS	CHORD DISTANCE
C30	40.72	8.00	89° 34' 32"	S 84° 44' 48" E	40.39
C31	0.89(2)	0.89	90° 01' 12"	S 84° 12' 34" E	0.89

ROADWAY 'C' CURVE TABLE					
CHORD	CURVE LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARINGS	CHORD DISTANCE
C32	171.00	408.00	12° 49' 42"	S 82° 08' 00" E	171.00
C33	16.30	127.00	80° 00' 42"	S 81° 53' 04" E	16.37
C34	30.87	30.87	87° 34' 34"	S 81° 14' 17" E	30.18
C35	47.70	208.00	80° 34' 34"	S 81° 12' 20" E	47.70
C36	7.82	1.74	10° 29' 47"	S 80° 41' 30" E	7.37
C37	118.00	118.00	87° 34' 34"	S 81° 12' 20" E	117.40
C38	104.11	104.11	14° 31' 42"	S 79° 58' 13" E	103.89
C39	103.90	103.90	30° 30' 00"	S 84° 12' 34" E	104.79

ROADWAY 'D' CURVE TABLE					
CHORD	CURVE LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARINGS	CHORD DISTANCE
C40	84.80	448.00	81° 14' 38"	S 82° 11' 40" E	84.80

ROADWAY 'E' CURVE TABLE					
CHORD	CURVE LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARINGS	CHORD DISTANCE
C41	76.77	594.00	87° 37' 06"	S 77° 32' 40" E	76.71

ROADWAY 'A' LANE DATA		
LINE	BEARING	DISTANCE
A1	S 80° 12' 42" E	104.00(2)
A2	S 80° 12' 42" E	201.19(2)
A3	S 80° 12' 42" E	95.11
A4	S 80° 12' 42" E	10.00(2)
A5	S 80° 12' 42" E	233.84
A6	S 80° 12' 42" E	74.89
A7	S 80° 12' 42" E	10.00(2)
A8	S 80° 12' 42" E	233.84
A9	S 80° 12' 42" E	74.89
A10	S 80° 12' 42" E	10.00(2)
A11	S 80° 12' 42" E	233.84
A12	S 80° 12' 42" E	74.89
A13	S 80° 12' 42" E	10.00(2)
A14	S 80° 12' 42" E	233.84
A15	S 80° 12' 42" E	74.89
A16	S 80° 12' 42" E	10.00(2)
A17	S 80° 12' 42" E	233.84
A18	S 80° 12' 42" E	74.89
A19	S 80° 12' 42" E	10.00(2)
A20	S 80° 12' 42" E	233.84
A21	S 80° 12' 42" E	74.89
A22	S 80° 12' 42" E	10.00(2)
A23	S 80° 12' 42" E	233.84
A24	S 80° 12' 42" E	74.89
A25	S 80° 12' 42" E	10.00(2)
A26	S 80° 12' 42" E	233.84
A27	S 80° 12' 42" E	74.89
A28	S 80° 12' 42" E	10.00(2)
A29	S 80° 12' 42" E	233.84
A30	S 80° 12' 42" E	74.89
A31	S 80° 12' 42" E	10.00(2)
A32	S 80° 12' 42" E	233.84
A33	S 80° 12' 42" E	74.89
A34	S 80° 12' 42" E	10.00(2)
A35	S 80° 12' 42" E	233.84
A36	S 80° 12' 42" E	74.89
A37	S 80° 12' 42" E	10.00(2)
A38	S 80° 12' 42" E	233.84
A39	S 80° 12' 42" E	74.89
A40	S 80° 12' 42" E	10.00(2)
A41	S 80° 12' 42" E	233.84
A42	S 80° 12' 42" E	74.89
A43	S 80° 12' 42" E	10.00(2)
A44	S 80° 12' 42" E	233.84
A45	S 80° 12' 42" E	74.89
A46	S 80° 12' 42" E	10.00(2)
A47	S 80° 12' 42" E	233.84
A48	S 80° 12' 42" E	74.89
A49	S 80° 12' 42" E	10.00(2)
A50	S 80° 12' 42" E	233.84
A51	S 80° 12' 42" E	74.89
A52	S 80° 12' 42" E	10.00(2)
A53	S 80° 12' 42" E	233.84
A54	S 80° 12' 42" E	74.89
A55	S 80° 12' 42" E	10.00(2)
A56	S 80° 12' 42" E	233.84
A57	S 80° 12' 42" E	74.89
A58	S 80° 12' 42" E	10.00(2)
A59	S 80° 12' 42" E	233.84
A60	S 80° 12' 42" E	74.89
A61	S 80° 12' 42" E	10.00(2)
A62	S 80° 12' 42" E	233.84
A63	S 80° 12' 42" E	74.89
A64	S 80° 12' 42" E	10.00(2)
A65	S 80° 12' 42" E	233.84
A66	S 80° 12' 42" E	74.89
A67	S 80° 12' 42" E	10.00(2)
A68	S 80° 12' 42" E	233.84
A69	S 80° 12' 42" E	74.89
A70	S 80° 12' 42" E	10.00(2)
A71	S 80° 12' 42" E	233.84
A72	S 80° 12' 42" E	74.89
A73	S 80° 12' 42" E	10.00(2)
A74	S 80° 12' 42" E	233.84
A75	S 80° 12' 42" E	74.89
A76	S 80° 12' 42" E	10.00(2)
A77	S 80° 12' 42" E	233.84
A78	S 80° 12' 42" E	74.89
A79	S 80° 12' 42" E	10.00(2)
A80	S 80° 12' 42" E	233.84
A81	S 80° 12' 42" E	74.89
A82	S 80° 12' 42" E	10.00(2)
A83	S 80° 12' 42" E	233.84
A84	S 80° 12' 42" E	74.89
A85	S 80° 12' 42" E	10.00(2)
A86	S 80° 12' 42" E	233.84
A87	S 80° 12' 42" E	74.89
A88	S 80° 12' 42" E	10.00(2)
A89	S 80° 12' 42" E	233.84
A90	S 80° 12' 42" E	74.89
A91	S 80° 12' 42" E	10.00(2)
A92	S 80° 12' 42" E	233.84
A93	S 80° 12' 42" E	74.89
A94	S 80° 12' 42" E	10.00(2)
A95	S 80° 12' 42" E	233.84
A96	S 80° 12' 42" E	74.89
A97	S 80° 12' 42" E	10.00(2)
A98	S 80° 12' 42" E	233.84
A99	S 80° 12' 42" E	74.89
A100	S 80° 12' 42" E	10.00(2)
A101	S 80° 12' 42" E	233.84
A102	S 80° 12' 42" E	74.89
A103	S 80° 12' 42" E	10.00(2)
A104	S 80° 12' 42" E	233.84
A105	S 80° 12' 42" E	74.89
A106	S 80° 12' 42" E	10.00(2)
A107	S 80° 12' 42" E	233.84
A108	S 80° 12' 42" E	74.89
A109	S 80° 12' 42" E	10.00(2)
A110	S 80° 12' 42" E	233.84
A111	S 80° 12' 42" E	74.89
A112	S 80° 12' 42" E	10.00(2)
A113	S 80° 12' 42" E	233.84
A114	S 80° 12' 42" E	74.89
A115	S 80° 12' 42" E	10.00(2)
A116	S 80° 12' 42" E	233.84
A117	S 80° 12' 42" E	74.89
A118	S 80° 12' 42" E	10.00(2)
A119	S 80° 12' 42" E	233.84
A120	S 80° 12' 42" E	74.89
A121	S 80° 12' 42" E	10.00(2)
A122	S 80° 12' 42" E	233.84
A123	S 80° 12' 42" E	74.89
A124	S 80° 12' 42" E	10.00(2)
A125	S 80° 12' 42" E	233.84
A126	S 80° 12' 42" E	74.89
A127	S 80° 12' 42" E	10.00(2)
A128	S 80° 12' 42" E	233.84
A129	S 80° 12' 42" E	74.89
A130	S 80° 12' 42" E	10.00(2)
A131	S 80° 12' 42" E	233.84
A132	S 80° 12' 42" E	74.89
A133	S 80° 12' 42" E	10.00(2)
A134	S 80° 12' 42" E	233.84
A135	S 80° 12' 42" E	74.89
A136	S 80° 12' 42" E	10.00(2)
A137	S 80° 12' 42" E	233.84
A138	S 80° 12' 42" E	74.89
A139	S 80° 12' 42" E	10.00(2)
A140	S 80° 12' 42" E	233.84
A141	S 80° 12' 42" E	74.89
A142	S 80° 12' 42" E	10.00(2)
A143	S 80° 12' 42" E	233.84
A144	S 80° 12' 42" E	74.89
A145	S 80° 12' 42" E	10.00(2)
A146	S 80° 12' 42" E	233.84
A147	S 80° 12' 42" E	74.89





**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Ordinance No. 2023-32 (*submitted by Matt Lasko*)  
**DATE:** September 26, 2023

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### **Subject Matter/Background**

In 2019, the City of Huron acquired several parcels of real estate along Cleveland Road W. and Silvern Avenue. There was no specific plan for the real estate at that time – however, ideas were considered such as creating a west side green space for public use or aiding in stormwater mitigation efforts. These ideas still remain relevant today although there are no current planning efforts underway. In recent weeks, an additional parcel of real estate in the same vicinity has been deeded to the Erie County Land Reutilization Corporation (ECLRC) via Sheriff's deed. The ECLRC has no need for the property and has offered it to the City for zero cost with the exception of the modest transfer fee. The City of Huron currently owns land to the south, west and north of this parcel. The .2865 acre parcel will add to the City's holdings on the west side of Silvern Avenue which total approximately 2 acres. The property is currently wooded and will require little to no maintenance after acquisition.

### **Financial Review**

Acquisition of this property has no financial impact on the City, other than the \$0.50 conveyance fee charged by the Erie County Auditor, and approximately \$34.00 to record the deed.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure, and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion adopting Ordinance No. 2023-32 as an emergency measure is in order.

[Ordinance No. 2023-32 Quit-Claim Deed for Silvern Property \(2\).docx](#)  
[Ordinance No. 2023-32 Exh A ECLRC to City Quit-Claim Silvern Property.pdf](#)

ORDINANCE NO. 2023-32  
Introduced by Matt Grieves

AN ORDINANCE AUTHORIZING THE CITY OF HURON'S ACCEPTANCE OF A QUIT-CLAIM DEED FROM THE ERIE COUNTY LAND REUTILIZATION CORPORATION FOR VACANT LAND LOCATED ON SILVERN STREET IN HURON, OHIO, BEING ALL OF ERIE COUNTY, OHIO PERMANENT PARCEL NUMBER 43-00067.000, WITHOUT CONSIDERATION.

WHEREAS, the Erie County Land Reutilization Corporation (hereinafter, "ECLRC") acquired title to vacant lane located on Silvern Street in Huron, Ohio, being all of Permanent Parcel Number 43-00067.000 (hereinafter, the "Property") after the Property failed to be sold at Sheriff's Sale;

WHEREAS, ECLRC is willing to quit-claim ownership of the Property to the City of Huron for no consideration, as the City currently owns adjacent properties; and

WHEREAS, the Council has determined that acquisition of the Property is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager is hereby authorized to accept conveyance of vacant property located on Silver Street in Huron, Ohio (PPN: 43-00067.000) via Quit-Claim Deed from the Erie County Land Reutilization Corporation for no consideration. A copy of the proposed Quit-Claim Deed is attached hereto as Exhibit "A" and made a part hereof by reference.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and it is imperative this Ordinance be effective immediately, WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its adoption.

---

Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_

## QUIT CLAIM DEED

---

That, ERIE COUNTY LAND REUTILIZATION CORPORATION, the Grantor, for valuable consideration paid, grants to: THE CITY OF HURON, OHIO, the Grantee, the following REAL PROPERTY:

Situated in the Township of Huron, County of Erie and State of Ohio:

And being described as being known as Sublot Nos. 411 and 412 Silvern Street in the Rye Beach Land Company's Subdivision of part of Lots 31 and 32, Section No. 2 and Lot No. 35, Section No. 3 as shown by the recorded plat in Volume 8, Pages 4 and 5 of Erie County Records of Plats.

Permanent Parcel No. 43-00067.000

Subject to all easements, covenants, and restrictions of record.

Prior instrument record: \_\_\_\_\_ of the Deed Records of Erie County.

Property Address: Silvern Street, Huron, OH 44839

Tax Mailing Address: 417 Main Street, Huron, OH 44839

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ERIE COUNTY LAND REUTILIZATION CORPORATION:

By: \_\_\_\_\_  
Patrick J. Shenigo, President of the Board of Directors  
of the Erie County Land Reutilization Corporation  
and Authorized Representative

STATE OF OHIO       )  
                                  ) ss:  
COUNTY OF ERIE    )

This is an acknowledgment clause. No oath or  
affirmation was administered to the signer with  
regard to the notarial act.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by Patrick J. Shenigo, President of the Board of Directors of the Erie County Land Reutilization Corporation, an Ohio corporation, on behalf of the corporation.

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

This Instrument Prepared by:

Jon K. Burton #0018675  
RENWICK, WELSH & BURTON LLC  
9 N. Mulberry Street  
Mansfield, Ohio 44902  
Telephone: (419) 522-2889



**TO:** Mayor Tapp and City Council  
**FROM:** Cory Swaisgood  
**RE:** Ordinance No. 2023-33 (*submitted by Cory Swaisgood*)  
**DATE:** September 26, 2023

---

### **Subject Matter/Background**

Ordinance No. 2023-33 requests the Council's authorization for changes to the annual budget appropriations. Please refer to Exhibit "A" of the ordinance for the detailed breakdown.

### **Financial Review**

See Exhibit "A" for financial review and details of supplemental appropriations.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion adopting Ordinance No. 2023-33 is in order.

[Ordinance No. 2023-33 Appropriations.docx](#)  
[2023-33 Exhibit A.pdf](#)

ORDINANCE NO. 2023-33  
Introduced by Joel Hagy

AN ORDINANCE AMENDING ORDINANCE NO. 2022-69, ADOPTED ON DECEMBER 27, 2022, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES.

WHEREAS, pursuant to Ordinance No. 2022-69, adopted December 27, 2022, Huron City Council adopted the annual budget for the fiscal year ending December 31, 2023 for the operations of all City departments and offices; and

WHEREAS, Council has established various funds for the financial operation of the City, and through the current fiscal year certain funds have been determined to have insufficient funds and certain Funds have been determined to have excess funds; and

WHEREAS, it is necessary to amend the budget to reflect appropriation transfers and supplemental appropriations to accommodate the operational needs of certain City departments and offices and to assure all funds of the City are in proper balance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That Exhibit "A" of Ordinance 2022-69, adopted on the 27<sup>th</sup> day of December 2022, as amended by Ordinance No. 2023-2 adopted on January 24, 2023, as amended by Ordinance No. 2023-6 adopted on March 28, 2023, as amended by Ordinance No. 2023-9 adopted on April 11, 2023, and as amended by Ordinance No. 2023-17 adopted on July 11, 2023, is hereby amended to provide for supplemental appropriations and appropriation transfers as to each fund set forth in Exhibit "A" attached hereto and made a part hereof;

SECTION 2. That the Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2023, and to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized to properly balance the various funds of the City.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That in accordance with Section 3.06 of the Charter of the City of Huron, appropriation ordinances shall take effect immediately; WHEREFORE, this Ordinance shall take effect immediately upon its adoption.

\_\_\_\_\_  
Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_

CITY OF HURON  
BUDGET APPROPRIATION ADJUSTMENTS, AND CASH TRANSFERS  
SUMMARY SHEET

**Exhibit A**

DATE: 9/26/2023  
ORDINANCE: 2023-33

**Appropriation Measure**

---

**Reason for Appropriation Measure**

The appropriation measures below are necessary for the following reasons:

1. Additional appropriations are necessary in the Police Department's budget to pay for community policing.
2. Additional appropriations are necessary in the property maintenance fund for county fees from sidewalk and grass cutting assessments.
3. Additional appropriations are necessary in the Sawmill Creek TIF Fund for the recent debt issuance. This budget is needed for the issuance cost on the \$2M taxable bonds for the Cedar Fair subsidy and interest payment on the 2022 Notes issued last December. This was not fully budgeted during the 2023 budget process due to the timing of the notes issued in December and the uncertainty if the debt would be bonds or notes.

In accordance with the Ohio Revised Code, Council must approve supplemental appropriations, budget transfers above the City's legal level of control, and cash transfers.

**APPROPRIATION MEASURE**

Fund Name	Fund Number	Department/Activity	Object Level	Increase/(Decrease) Amount
PROPERTY MAINTENANCE	202	Service	OTHER EXPENSES	\$ 500
ENFORCEMENT/EDUCATION	219	Police	OTHER EXPENSES	\$ 3,000
SAWMILL CREEK IMPROVEMENT TIF	421	TIF	OTHER EXPENSES	\$ 192,000

**NET IMPACT ON TOTAL APPROPRIATIONS**    \$            195,500



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Resolution No. 63-2023 (*submitted by Matt Lasko*)  
**DATE:** September 26, 2023

---

### **Subject Matter/Background**

As part of the City's purchase agreement for the Oster's Mobile Home Park, the City is ultimately responsible for any and all required site clearance activities upon acquisition. This can include but is not limited to, remaining trailer removal, demolition of the permanent structure on site, dead tree removal, concrete pad and debris removal and grading and seeding. The City requested funding from the Erie County Land Reutilization Corporation to aid in these site clearance and clean up efforts. As such, we are requesting ratification of a previously submitted grant request and permission to enter into any and all agreements if awarded. The City has been notified informally that we will be allocated up to \$100,000 for these activities (\$55,000 in 2023 and \$45,000 in 2024). We have already been provided with a draft Memorandum of Understanding (MOU) for the initial \$55,000 which we will execute if this legislation is approved and will execute a second MOU in 2024 if additional funds are needed.

### **Financial Review**

If accepted, the City will request reimbursement from the Land Bank after paying the contractor for services rendered, totaling \$100,000. Transactions will be recorded in the City's Sawmill Creek TIF Fund (Fund 422).

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 63-2023 is in order.

[Resolution No. 63-2023 ECLRC Grant Application Oster's \\$100,000 \(1\).doc](#)

RESOLUTION NO. 63-2023  
Introduced by Sam Artino

A RESOLUTION RATIFYING THE CITY MANAGER'S SUBMITTAL OF AN APPLICATION TO THE ERIE COUNTY LAND REUTILIZATION CORPORATION (ECLRC) REQUESTING FINANCIAL ASSISTANCE RELATING TO SITE CLEARANCE FOR 2.23 ACRES OF REAL PROPERTY LOCATED ADJACENT TO CLEVELAND ROAD, WEST, IN HURON, OHIO, AND CURRENTLY KNOWN AS OSTER'S MOBILE HOME PARK, IN THE AMOUNT OF ONE HUNDRED THOUSAND AND XX/100 DOLLARS (\$100,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND AND XX/100 DOLLARS (\$100,000.00); AND ENTER INTO ANY AGREEMENT(S) WITH THE ECLRC UPON AWARD, SHOULD THE APPLICATION BE SUCCESSFUL.

WHEREAS, the City of Huron has entered into a Purchase Agreement for 2.23 acres of property located adjacent to Cleveland Road West, in Huron, Ohio bearing Erie County Permanent Parcel Numbers 43-00322.000, 43-00600.000, 43-00319.000, 43-00318.000, 43-00317.000, 43-00320.000 and 43-00321.000 (hereinafter, the "Property"); and

WHEREAS, the Erie County Land Reutilization Corporation has received funding site clearance on the Property through the Delinquent Tax and Assessment Collection; and

WHEREAS, the grant funding received through this application will be used to clear the Property after it is acquired by the City of Huron (hereinafter, the "Project"); and

WHEREAS, the City of Huron has the authority to apply for financial assistance and to administer the amounts received from the ECLRC; and

WHEREAS, the City of Huron must direct and authorize the City Manager, Matthew Lasko, to act as the Authorized Representative for the application and Project, if awarded ; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON AS FOLLOWS:

SECTION 1. That the Council of the City of Huron ratifies the City Manager's submittal of a grant application through the Erie County Land Reutilization Corporation (ECLRC) to become eligible for potential funding assistance toward site clearance on the Property in an amount not to exceed One Hundred Thousand and xx/100 Dollars (\$100,000.00).

SECTION 2. That if grant funds are awarded, authorization is given to the City Manager to execute any agreement(s) with ECLRC to be eligible for funding under the program, and to accept the grant award of up to One Hundred Thousand and xx/100 Dollars (\$100,000.00).

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code

SECTION 4. That this Resolution shall go into effect and be in full force and effect immediately upon its passage.

\_\_\_\_\_  
Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_



**TO:** Mayor Tapp and City Council  
**FROM:** Terry Graham  
**RE:** Resolution No. 64-2023 (*submitted by Chief Terry Graham*)  
**DATE:** September 26, 2023

---

### **Subject Matter/Background**

This resolution will authorize the submission of documentation to ODNR - Division of Watercraft seeking their approval for the placement of buoys for a boat lane at the east end of Nickel Plate Beach, which boat lane has been relocated further to the east in front of the grassy area, and relocation of the four (4) Old Homestead I Swirl Area - No Boats buoys to evenly spread them along their waterfront, per the recommendation of the Safety Committee. This documentation also acknowledges the City's intent of enforcement of these navigational aids. Pursuant to ODNR instruction, the City is submitting documentation seeking relocation of that boat lane and the four (4) Old Homestead I buoys (all other buoys will remain in their current locations).

### **Financial Review**

There will not be additional budgetary needs for these items of legislation. The personnel cost to move/place the buoys, if granted, is already included in the 2024 draft budget.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement, a motion adopting Resolution 64-2023 is in order.

[Resolution No. 64-2023 ODNR Application Nickel Plate Old Homestead I Buoy Locations.docx](#)  
[Resolution No. 64-2023 Exh A ODNR Navigational Aids Application .pdf](#)

RESOLUTION NO. 64-2023

Introduced by Mark Claus

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT DOCUMENTATION TO ODNR- DIVISION OF WATERCRAFT FOR APPROVAL OF THE PLACEMENT OF NAVIGATIONAL AIDS (BUOYS) AND ACKNOWLEDGING THE CITY'S INTENT OF ENFORCEMENT.

WHEREAS, the City of Huron Safety Committee recommended that the boat lane located at the east end of Nickel Plate Beach be relocated for safety reasons; and

WHEREAS, Old Homestead I Property Owners Association has requested that their four (4) buoys be relocated to be evenly spaced across their lakefront property, which location have been recommended by the City of Huron Safety Committee; and

WHEREAS, the authorization to place enforceable navigational aids rests with the Ohio Department of Natural Resources – Division of Watercraft.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager is authorized and directed to submit documentation to ODNR- Division of Watercraft for approval of the placement of navigational aids (buoys) in Lake Erie at Nickel Plate Beach and Old Homestead I, as reflected on Exhibit "A" attached hereto and made a part hereof

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

---

Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_



Ohio Department of Natural Resources  
Division of Watercraft



## Navigational Aids Grant Request

The Division of Watercraft is interested in providing navigational aids in partnership with political subdivisions to mark Ohio's waterways. The areas to be marked would be controlled navigational areas for recreational boating. The navigational aids are in strict accordance with the U.S Aids to Navigation System (USATONS). Before navigational aids are provided, it is necessary for the agency to enter into a cooperative agreement with Division of Watercraft. The terms of the agreement are as follows:

1. Navigational aids will conform to the requirements prescribed in section 1547.08 of the Ohio Revised Code.
2. Cooperating agencies will provide maps or charts of the waters involved showing placement and type of each proposed navigational aid.
3. The Division of Watercraft reserves the right to limit the number of navigational aids.
4. The cooperating agency agrees to place and maintain the navigational aids.
5. The Division assumes the cost of navigational aids, but not anchors, fastenings, or maintenance items.
6. Obligations of the state are subject to section 126.07 of the Ohio Revised Code.
7. When delivery is made, the agency will forward a signed copy of the receipt or a packing list indicating the order was received.

**NOTE: Navigational Aids placed on Federal Navigable Waters (Muskingum River, Ohio River, Lake Erie, etc.) first require consent or approval from the U.S. Coast Guard.** See form CG-2554 available from the US Coast Guard web site ([http://www.uscg.mil/forms/cg/CG\\_2554.pdf](http://www.uscg.mil/forms/cg/CG_2554.pdf)). Provide an approved copy of the form and include it with your ODNR Navigational Aids Grant Request. For more information concerning CG-2554, contact Nick Gould (216-902-6074) or Doug Sharp (216-902-6070) for questions.

Send completed form to:      ATTN: PATON Private Aids Rm 2083  
   Command OAN 9<sup>th</sup> Coast Guard District  
   1240 East 9<sup>th</sup> Street  
   Cleveland, OH 44199-2060

**Buoy and sign requests will take approximately 6 to 8 weeks for delivery once all the terms of the agreement have been met.**

### Information required with this completed application:

- Maps or charts of the waters involved showing placement and types of each proposed navigational aid
- Longitude and Latitude of each marker in the form of degrees, decimal minutes (XX° XX.XXXX)
- Resolution from jurisdictional sponsor city, township, county
- For federally navigable waters: U.S. Coast Guard Private Aids to Navigation Application (CG-2554)
- For replacement navigational aids: A copy of the original documentation from the Division of Watercraft allowing placement of navigational aids

### Information required after grant application has been approved:

- Two signed Cooperative Agreements

## ODNR Division of Watercraft Navigational Aids Grant Request

### Instructions for filling in the form

**SECTION A.** Under the “Requesting Agency” heading, fill out the information about the public agency that is requesting the navigational aids. This information includes who the contact person is, their mailing address, city, state and zip code. Also include a telephone and fax number where we can contact them. If you have an E-mail address, including it may assist us with communications. Under “Agency Providing Placement & Maintenance,” fill in the contact information indicated for the agency that will place and maintain the navigational aids. This address will be used for shipping unless noted otherwise in Section H.

**SECTION B.** Indicate if this request is for new navigational aids or replacement of existing navigational aids. If this request is for replacement navigational aids, attach a copy of the original permission documentation from ODNR Division of Watercraft to the application. For all requests, write a brief explanation of the problems or issues you will be addressing by placing/replacing the navigational aids.

**SECTION C.** Supply the name of the body of water where the aids will be placed (e.g. Lake Erie/Sandusky Bay) as well as the longitude and latitude in degrees decimal minutes of EACH marker. (GPS points for each marker is needed for law enforcement reasons) Indicate whether the body of water where the navigational aids will be placed is federally defined as “navigable” (Lake Erie, Muskingum or Ohio Rivers, etc.) or Ohio waters (non-navigable). Also include the county of the placement. If you can, give an estimated depth of water for the placement site and the anchoring method so the buoys will be made with the proper ballast. Information should include whether you will be using cable, chain, or rope and the size and type of anchor.

**SECTION D.** Provide the appropriate information in the available blanks of each question. These answers will be used as scoring criteria when we evaluate each application.

**SECTION E.** Check the boxes to indicate which items are applicable to your request and are included in your application packet.

**SECTION F.** Select the symbol type (center) and mark the buoy type (left) that you are requesting. Then indicate the quantity and the message that you want. (right)

**SECTION G.** If you are requesting signage, fill in the quantity and how you would like your sign to look with your selected words. Include a copy of the estimated cost quote from your vender. If you are requesting another type of navigational aid not already addressed in the application, fill in the quantity and give a description of the items you are requesting.

**SECTION H.** If you have additional requests or comments, use this space.

**SECTION I.** The contact person for the agency making this request should sign and date the application.

Send the completed application to:   ATTN: Sean Landon  
  Navigational Aids Program  
  ODNR Division of Watercraft  
  2045 Morse Road, Building C-4  
  Columbus, OH 43229-6693



Ohio Department of Natural Resources  
Division of Watercraft



## Navigational Aids Grant Request

### A. Requesting Agency:

CITY OF HURON  
Agency: \_\_\_\_\_  
MATTHEW LASKO  
Contact Person: \_\_\_\_\_  
417 MAIN STREET  
Address: \_\_\_\_\_  
HURON  
City: \_\_\_\_\_  
OHIO, 44839  
State & Zip: \_\_\_\_\_  
419-433-5000 EXT. 1102  
Tel #: (\_\_\_\_\_) \_\_\_\_\_  
E-mail: [citymanager@huronohio.us](mailto:citymanager@huronohio.us)

### Agency Providing Placement & Maintenance:

*This address is used for shipping unless noted in Section H.*

CITY OF HURON  
Agency: \_\_\_\_\_  
OFFICER KEITH LOBSINGER  
Contact Person: \_\_\_\_\_  
417 MAIN STREET  
Address: \_\_\_\_\_  
HURON  
City: \_\_\_\_\_  
OHIO, 44839  
State & Zip: \_\_\_\_\_  
419-433-4114  
Tel #: (\_\_\_\_\_) \_\_\_\_\_  
E-mail: [klobsinger@cityofhuron.org](mailto:klobsinger@cityofhuron.org)

### B. Justification

☐ New ☐ Replacement

Consideration for changed locations for 6 buoys (#'s 19, 20, 23, 26, 29 and 30) related to requested changes in the location of the boat mooring lane at Nickel Plate Beach, and changes to the placement of Swim Area – No Boats buoys in front of the Old Homestead I property to more evenly space those buoys. These buoys designate swim areas and boat mooring lanes and are important to provide water safety measures for the protection of the public. A copy of prior ODNR Approval documentation for the placement of these buoys is attached.

### C. Location LAKE ERIE ERIE

Body of Water: \_\_\_\_\_ County: \_\_\_\_\_

Water Depth: 6-8 FT Anchor Method: 10'-12' CHAIN/ANCHOR/CONNECTORS

Proposed Navigational Aid Placement Coordinates in Degrees Decimal Minutes

Latitude & Longitude: **SEE ATTACHED LIST AND COORDINATING MAPS**

Marker 1	_____	Marker 2	_____
Marker 3	_____	Marker 4	_____
Marker 5	_____	Marker 6	_____

- ☒ Federal Waters (Navigable) Lake Erie, Muskingum or Ohio River, etc.  
☐ Ohio Waters

**ODNR Division of Watercraft Navigational Aids Grant Request**

**D. Required Information**

- 3      How many public access launch ramps are on this body of water or within 5 miles of the navigational aids placement sites?
- 65     How many public access docks are on this body of water or within 5 miles of the navigational aids' placement sites?
- 9910 sq. mi. What is the surface acreage of the body of water where the navigational aids will be placed?
- UNLIMITED What is the horsepower limit on the body of water where the navigational aids will be placed?
- YES    Can the general public access and use the body of water where the navigational aids will be placed?

**E. Checklist of Documentation Submitted**


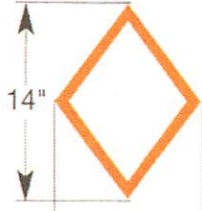
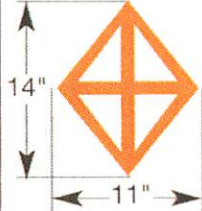
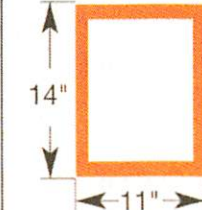
**Required:**

- ☒ This application, completed, signed and dated (DNR 8369)
- ☒ Chart showing location and types of navigational aids
- ☒ Longitude and Latitude of each marker
- ☒ Resolution from jurisdictional sponsor city, township, county

**If Applicable:**

- ☐ Approved U.S. Coast Guard Private Aids to Navigation Application (CG-2554)
- ☒ Signed documentation from ODNR Division of Watercraft permitting original buoys
- ☐ Cost quote for signage

**F. Standard Inland Symbols and Messages**

<b><u>Buoy Types</u></b> <input type="checkbox"/> X Heavy Duty Regulatory <input type="checkbox"/> Float Collar Cans <input type="checkbox"/> Other:	<b>CONTROLLED AREA SYMBOL</b>  12" 2" band width	<b><u>QTY</u>   <u>Message</u></b> _____ SLOW 5 MPH _____ SKI AREA _____ NO SKI _____ SLOW 10 MPH _____ SPEED ZONE _____ NO WAKE IDLE SPEED _____ BOAT SWIM AREA
<b><u>Buoy Types</u></b> <input type="checkbox"/> X Heavy Duty Regulatory <input type="checkbox"/> Float Collar Cans <input type="checkbox"/> Other:	<b>HAZARD WARNING SYMBOL</b>  14" 11" 2" band width	<b><u>QTY</u>   <u>Message</u></b> _____ ROCK _____ DANGER _____ RAPIDS _____ SHOAL _____ STUMP _____ SHALLOW AREA _____ HAZARD AREA _____ DANGER DAM _____ BOAT SWIM AREA
<b><u>Buoy Types</u></b> <input checked="" type="checkbox"/> X Heavy Duty Regulatory <input type="checkbox"/> Float Collar Cans <input type="checkbox"/> Other:	<b>RESTRICTED AREA SYMBOL</b>  14" 11" 2" band width	<b><u>QTY</u>   <u>Message</u></b> 20 _____ SWIM AREA (top) _____ KEEP OUT _____ NO BOATS _____ BOATS KEEP OUT _____ CLOSED AREA 20 _____ NO BOATING (bottom) _____ DANGER DAM
<b><u>Buoy Types</u></b> <input type="checkbox"/> X Heavy Duty Regulatory <input type="checkbox"/> Float Collar Cans <input type="checkbox"/> Other:	<b>INFORMATION SYMBOL</b>  14" 11" 2" band width	<b><u>QTY</u>   <u>Message</u></b> _____ REST ROOM 1 MILE _____ STATE PARK AHEAD _____ MARINA ENTRANCE _____ FISH ATTRACTOR

**ODNR Division of Watercraft Navigational Aids Grant Request**

**G. Sign Request**

Qty	Signage Draft Text	Dimensions	Material
		Height: _____ Width: _____	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Wood

**H. Notes or Comments:**

The attached placement map with coordinates reflects the desired placement of both regulatory and mooring buoys. The table of coordinates indicates changes in location for six (6) buoys (#'s 19, 20, 23, 26, 29 and 30).

**I. Signature**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Matthew Lasko, City Manager



## Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Division of Parks & Watercraft  
Division of Natural Areas & Preserves

Gary Obermiller, Assistant Director

2045 Morse Road - C3

Columbus, OH 43229-6693

Phone: (614) 265-6561 Fax: (614) 261-8407

May 3, 2018

Andrew D. White  
The City of Huron  
417 Main Street  
Huron, OH 44839

Dear Mr. Andrew D. White,

Your request for placement of SWIM AREA / NO BOAT buoys in the waters of Lake Erie near Huron Water Plant Beach has been reviewed. Under the authority of section 1547.08 of the Ohio Revised Code, the ODNR, Division of Parks & Watercraft hereby grants permission and approves your request to place the proposed Aids to Navigation for designating an area of controlled operation.

Approved Locations:            See Attached

Thank you for your continued efforts in making Ohio's waters a safe and enjoyable experience.

Should you have any questions or need further assistances, please contact:

Ted Welsh, Federal Aid Coordinator  
12259 Township Road 218  
Van Buren, OH 45889  
(614) 203-5337 / ted.welsh@dnr.state.oh.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Obermiller".

Gary Obermiller, Acting Chief  
Division of Parks and Watercraft

Buoy No.	Latitude & Longitude	Description of Buoy
1	41.00216 -82.558066	Regulatory Can Buoy 60" Swim Area - No Boats
2	41.4400154 -82.557644	Regulatory Can Buoy 60" Swim Area - No Boats
3	41.400101 -82.557299	Regulatory Can Buoy 60" Swim Area - No Boats
4	41.400058 -82.556956	Regulatory Can Buoy 60" Swim Area - No Boats
5	41.398884 -82.555176	Regulatory Can Buoy 60" Swim Area - No Boats
6	41.398991 -82.555041	Regulatory Can Buoy 60" Swim Area - No Boats
7	41.399062 -82.554726	Regulatory Can Buoy 60" Swim Area - No Boats
8	41.399036 -82.554458	Regulatory Can Buoy 60" Swim Area - No Boats
9	41.397820 -82.545076	Regulatory Can Buoy 60" Swim Area - No Boats
12	41.397360 -82.544250	Regulatory Can Buoy 60" Swim Area - No Boats
15	41.396892 -82.543409	Regulatory Can Buoy 60" Swim Area - No Boats
18	41.396436 -82.542584	Regulatory Can Buoy 60" Swim Area - No Boats
19	41.395977 -82.541751	Mooring Buoy
20	41.395807 -82.541875	Mooring Buoy
21	41.396130 -82.542031	Mooring Buoy
22	41.39559 -82.54166	Mooring Buoy
23	41.395737 -82.541331	Regulatory Can Buoy 60" Swim Area - No Boats
26	41.395532 -82.540929	Regulatory Can Buoy 60" Swim Area - No Boats
29	41.395285 -82.540489	Regulatory Can Buoy 60" Swim Area - No Boats
30	41.395006 -82.539985	Regulatory Can Buoy 60" Swim Area - No Boats
31	41.394031 -82.538560	Regulatory Can Buoy 60" Swim Area - No Boats
32	41.394299 -82.538429	Regulatory Can Buoy 60" Swim Area - No Boats
34	41.394123 -82.537997	Regulatory Can Buoy 60" Swim Area - No Boats
35	41.393863 -82.538194	Regulatory Can Buoy 60" Swim Area - No Boats

 Location Has Changed  
Buoy Type Remains the Same

# Huron Water Plant Beach Buoy Layout

## Legend

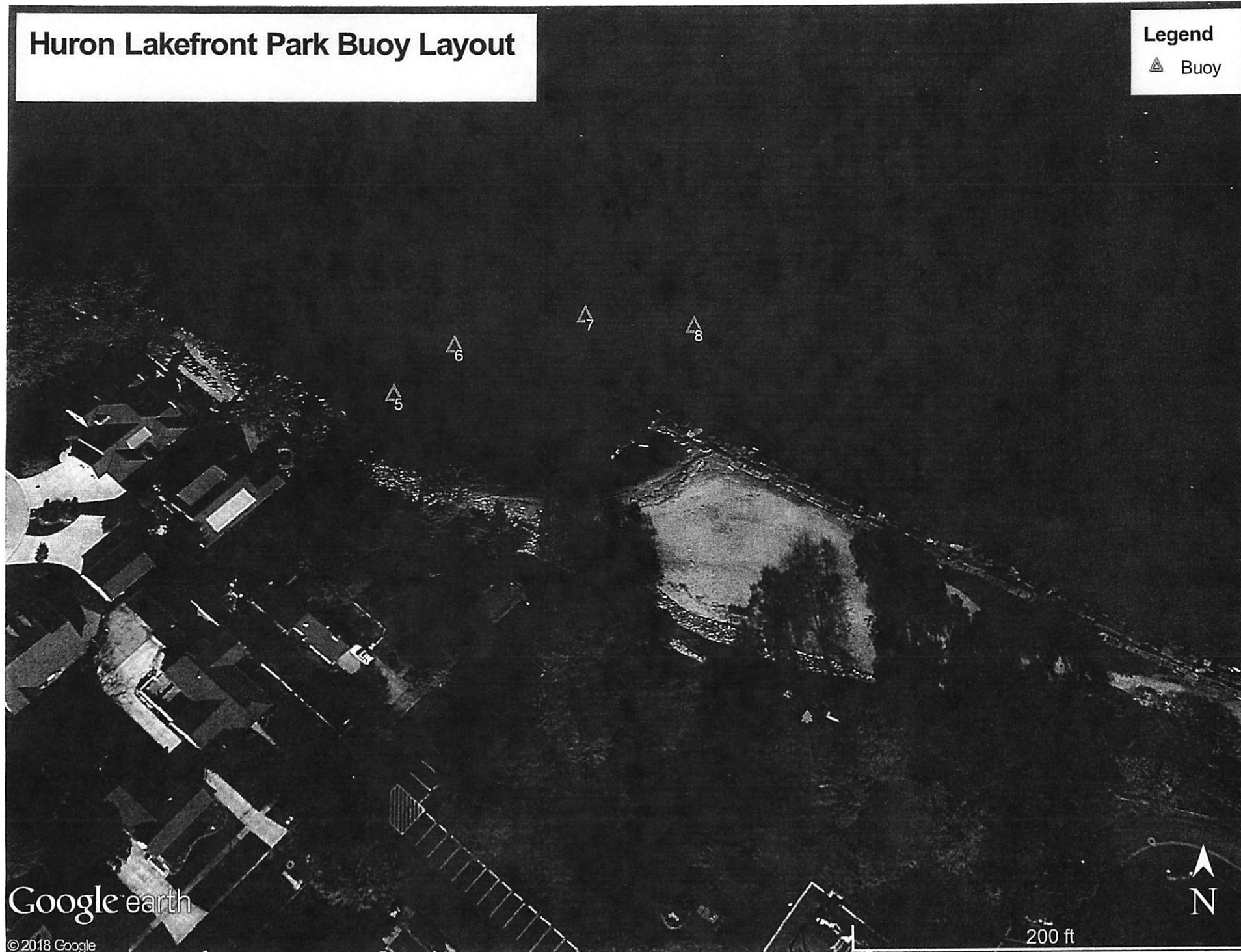
△ Buoy



# Huron Lakefront Park Buoy Layout

## Legend

△ Buoy



Google earth

© 2018 Google

200 ft

N

# Huron East Side Buoy Layout (2023)

- 41-397360, -82.544250  
Swim Area - No Boats
- 12
- 41-397820, -82.545076  
Swim Area - No Boats
- 9
- 41-396892, -82.543409  
Swim Area - No Boats
- 15
- 41-396436, -82.542584  
Swim Area - No Boats
- 18
- 41-395977, -82.541751  
Mooring Buoy  
(LOCATION CHANGE)
- 19
- 41-396130, -82.542031  
Mooring Buoy
- 21
- 41-395979, -82.542158  
Mooring Buoy
- 22
- 41-395807, -82.541875  
Mooring Buoy  
(LOCATION CHANGE)
- 20
- 41-395737, -82.541875  
Swim Area - No Boats  
(LOCATION CHANGE)
- 23
- 41-395532, -82.540929  
Swim Area - No Boats  
(LOCATION CHANGE)
- 26
- 41-395285, -82.540489  
Swim Area - No Boats  
(LOCATION CHANGE)
- 29
- 41-395006, -82.539985  
Swim Area - No Boats  
(LOCATION CHANGE)
- 30
- 41-394031, -82.538560  
Swim Area - No Boats
- 31
- 41-394299, -82.538429  
Swim Area - No Boats
- 32
- 41-394123, -82.537997  
Swim Area - No Boats
- 34
- 41-393863, -82.538194  
Swim Area - No Boats
- 35





TO: Chairman Boyle and Members of the Planning Commission  
FROM: Erik Engle, Planning Director  
RE: Lemmy's - Re-zoning Application Public Hearing & Recommendation  
DATE : September 20, 2023

---

Parcel Nos.: 43-00306.000, 43-00305.000, 43-00307.000 (Lemmy's Restaurant)

Owner/Applicant: Jan Bucholz

Request From: R-1A Single Family Residential (pursuant to 1121.05(g) of the Codified Zoning Ordinance)

Request To: B-3 General Business; to accommodate existing uses and any future uses of the site moving forward

#### Subject Matter/Background

The new owner of the property had reached out to the city regarding their anticipated plans for renovations and expansion of the restaurant. A review of the current zoning of all three parcels was found to be R-1A. The owner advised of their desire to acquire a liquor license, addition of an outdoor seating area, and future remodeling and expansion of the restaurant.

Staff worked with the owner to determine the appropriate zoning designation to allow for current use and future anticipated improvements and expansions.

The applicant is requesting consideration for a rezoning from the current R-1A (Single Family) to B-3 (General Business) Zone to allow for any future expansion of existing structures/uses.

#### 2020 Master/Action Plan

The 2020 Master Plan does indicate concepts for the Western Communities. The document indicates initiatives for retail parcels located at the mobile home park, develop parcels as hospitality, restaurants, and mid-scale retail to take advantage of existing infrastructure and highway access/visibility. The 2020 Master Plan further seeks to outline ways to support Cedar Point's attractions, which includes Sawmill Creek Resort. Lemmy's has historically served this pivotal intersection fulfilling the kind of uses outlined in the master plan.

## Land Use and Zoning

Normally, a hard look at the existing and future land use would give a clearer indication as to how appropriate a rezoning proposal would be, but since the city does not have a comprehensive plan that looks at key factors like future land use or zoning related to any future annexations, a specific correlation to plans cannot be made.

As mentioned, the existing parcels are currently zoned R-1A, single family residential, but have and are currently operating under non-conforming commercial uses. Surrounding Zoning is as follows:

South (COH) – B-3 General Business

North (COH) – R-1A Single Family Residential

East (City of Huron) – B-3 General Business

West (Huron Township) – C-1/C-2 Highway/General Commercial

The existing land uses are as follows:

South (COH) – Gas station, defunct fast-food restaurant, retail

North (COH) – Single family houses

East (City of Huron) – Mobile home park

West (Huron Township) – Vacant commercial lot, restaurant, retail

With the recent annexation of Sawmill Resort and subsequent rezoning to a B-3, further existing land uses at the Sawmill Creek Resort include a golf course, hotel, conference center, and retail.

Closely aligned with existing commercial uses centered at the intersection of Cleveland Road and Rye Beach, the proposed B-3 rezoning covers all existing uses on Lemmy's property and will accommodate any future uses, liquor license allowance, and overall expansions the restaurant group may want to undertake without experiencing any nonconformity roadblocks they will experience with the existing R-1A zoning.

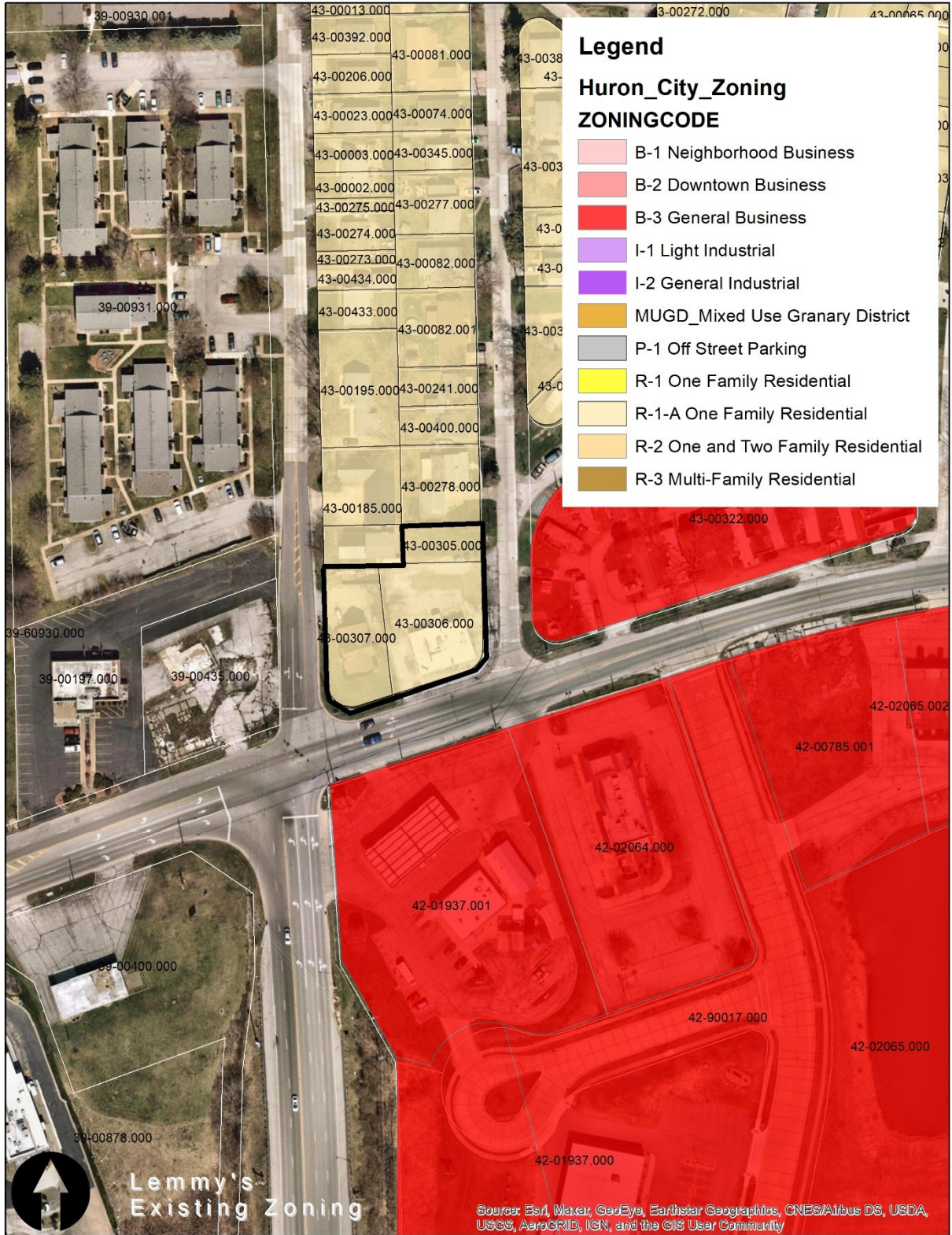
### Staff Analysis/ Recommendation:

The new owner met with staff to discuss their plans for future remodeling and expansion. The site is comprised of three (3) parcels; all of which are zoned R-1A. The current use a restaurant does not conform to the R-1A Zoning and is considered pre-existing/nonconforming. The remodeling and expansion, addition of a liquor license, and an outdoor dining area comprise the improvements that they have made or intend to make. The owner has already filed the applications and surveys to have the parcels combined into one (1) parcel. As of this writing, the county has not yet recorded the combination of the parcels, but it is anticipated this will be completed soon.

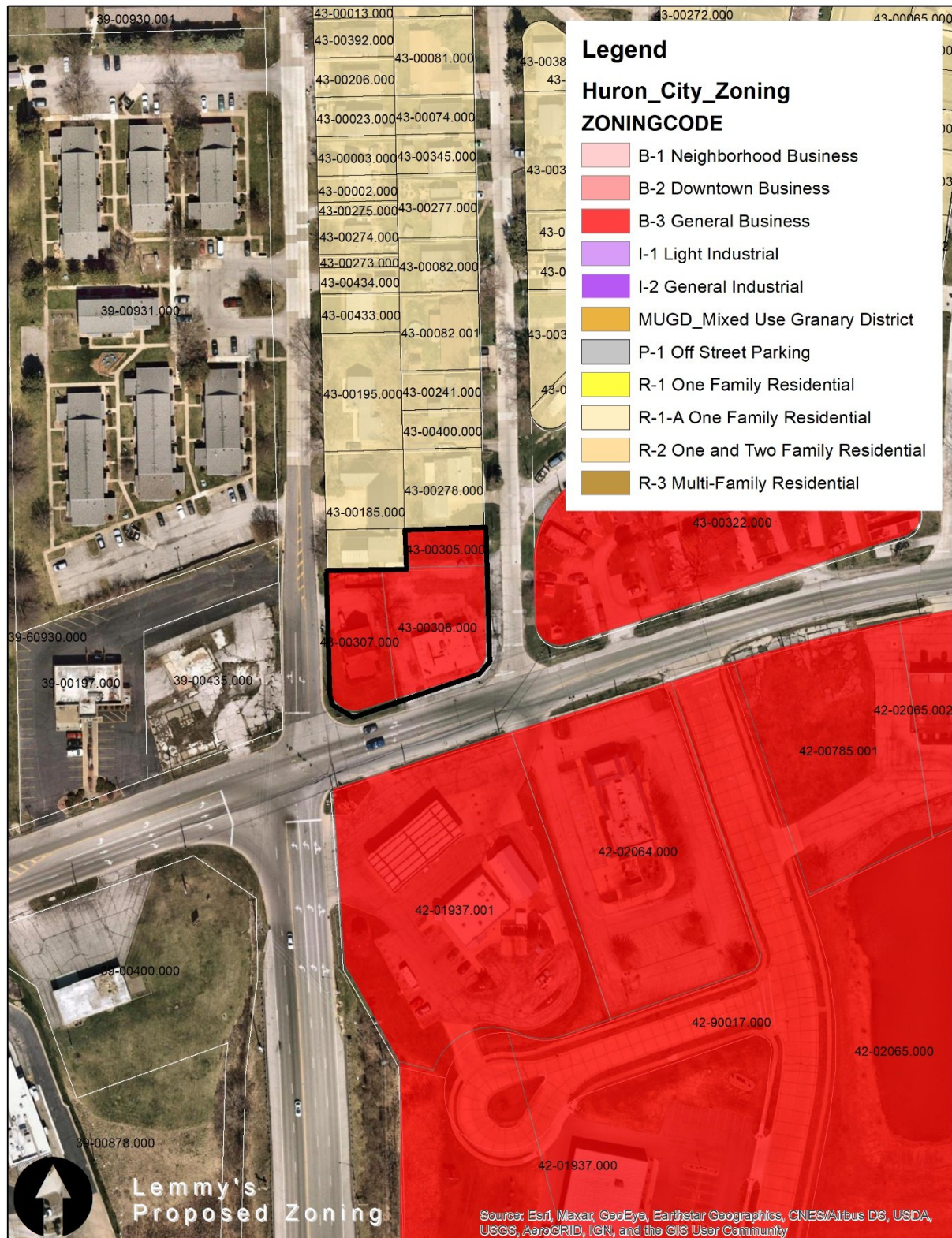
Staff supports a recommendation to be made to City Council to approval of the rezoning application as submitted for the three parcels from R-1A to B-3 .

Attachments:  
Rezoning Application

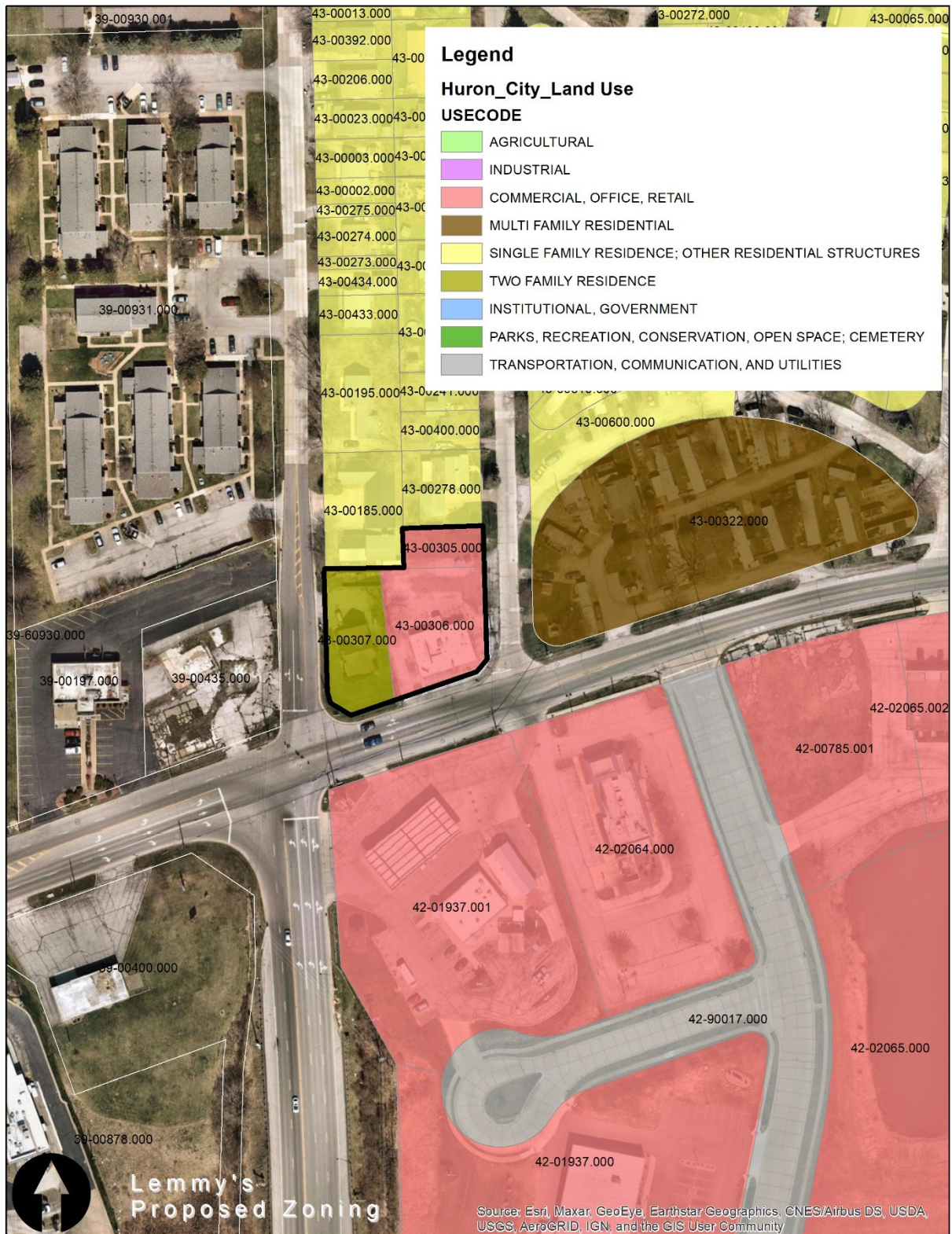
Existing Zoning Map



## Proposed Zoning Map



## Land Use



**CITY OF HURON**  
**APPLICATION TO RE-DISTRICT PROPERTY**  
(Type or Print)

Date : 7/18/27

Property Owner: JAN WESKE BUCHHEZ  
Address: 615 MARINER VILLAGE  
City, State, Zip: HURON, OH 44839  
Email Address: TEULIZ31@GMAIL.COM  
Address of Property to be Rezoned: 2027 CLEVELAND BLVD - 2029 CLEVELAND BLVD  
Parcel Number: \_\_\_\_\_

Applicant: (Name & Address - if different from the property owner)

TAMARA L ZULCH  
243 E MARKET ST #3 SANDUSKY, OH 44870

Current Zoning District of Subject Property:

R-1 ☐ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☐

I-1 ☐ I-2 ☐ Other: R-1A

Explain the reason that re-districting/re-zoning is being

requested: EXPANSION AND RECONFIGURATION OF EXISTING STRUCTURE

ADDITIONAL OUTDOOR DINING AND LIQUOR SALES

Proposed Zoning District of Subject Property:

R-1 ☐ R-2 ☐ R-3 ☐ B-1 ☐ B-2 ☐ B-3 ☒

I-1 ☐ I-2 ☐ Other: \_\_\_\_\_

Was a re-zoning request ever submitted for this property? No ☒ Yes ☐ Date: \_\_\_\_\_

Is the applicant represented by legal counsel? Yes ☐ No ☒

If Yes, Counsel's Name and Address: \_\_\_\_\_

Contact Number and Email: \_\_\_\_\_

The following must be attached to this application:

1. A survey and legal description of the property.
2. A map of the subject property (maximum size 11" x 17")
3. A map of the subject property in relation to the adjoining properties. (max size 11" x 17")
4. A complete list of the names and current addresses of all property owners within 150' of the exterior boundaries of the subject property.
5. A \$250.00 non-refundable application fee, made payable to the City of Huron. (Section 1321.12 (c))

Applicant Signature: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

(required)

DO NOT WRITE BELOW THIS LINE

\*\*\*\*\*

Date Completed Application Received: \_\_\_\_\_

Zoning Department Representative: \_\_\_\_\_

Date Submitted to City Council: \_\_\_\_\_

Date Submitted to Planning Commission: \_\_\_\_\_

7/18/23

5/1/2023

7/25/23

QMG

Jill Jarkyn

EMAIL w/ INFO

Bucholz Combined Acreage  
0.5597 Acre

Being situated in the State of Ohio, County of Erie, City of Huron, Lots 99 & 132 Rye Beach Land Co. Subdivision (PV 8 PG 4-5) and being more definitely described as follows:

Beginning at a PK Nail, set, on the East right-of-way line of Rye Beach Road (60 Ft), marking the Southwest corner of Lot 99 in said Rye Beach Subdivision;

- (1) Thence North  $01^{\circ}35'23''$  West along the East right-of-way line of Rye Beach Road, the same being the West line of lot 99, a distance of 155.27 feet to a 1/2" iron pin & cap, set, marking the Northwest corner of Lot 99;
- (2) Thence North  $88^{\circ}23'27''$  East along the North line of Lot 99, the same being the South line of Lot 100 owned by Kenneth & Marlene Gadd (DV 360 PG 632), a distance of 81.22 feet to a 1/2" iron pin & cap, set, marking the Southwest corner of Lot 132;
- (3) Thence North  $01^{\circ}01'08''$  West along the West line of Lot 132, the same being the East line of Lot 100, a distance of 40.00 feet to a point, marking the Northwest corner of Lot 132;
- (4) Thence North  $88^{\circ}23'27''$  East along the North line of Lot 132, the same being the South line of Lot 131 owned by Thelma Meredith (RN 202206144), passing through a 1/2" iron pin & cap, set at a distance of 1.35 feet, a distance of 80.00 feet to a 1/2" iron pin & cap, set on the West right-of-way line of Atwood Place (50 Ft), marking the Northeast corner of Lot 132;
- (5) Thence South  $01^{\circ}01'08''$  East along the West right-of-way line of Atwood Place, passing through a railroad spike, found at a distance of 40.00 feet, a distance of 148.51 feet to a PK Nail, set, marking the Southeast corner of Lot 99;
- (6) Thence South  $72^{\circ}06'52''$  West along the south line of Lot 99, a distance of 166.84 feet to the point of beginning, containing 0.5597 acre, more or less, of which 0.2068 acre is in PP # 43-00307.000 and 0.2795 acre is in PP # 43-00306.000 and 0.0734 acre is in PP # 43-00305.000, but being subject to all legal highways, easements and restrictions of record.

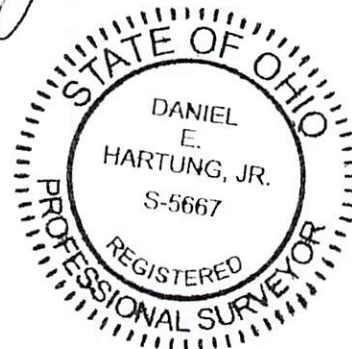
The above description was prepared from an actual survey by Daniel E. Hartung Jr., Professional Surveyor No. 5667 in June 2023. The bearings were based on ODOT VRS.

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

Michael J. Farrell  
Engineer/Surveyor: Erie County Engineer's

Date: 6-21-2023

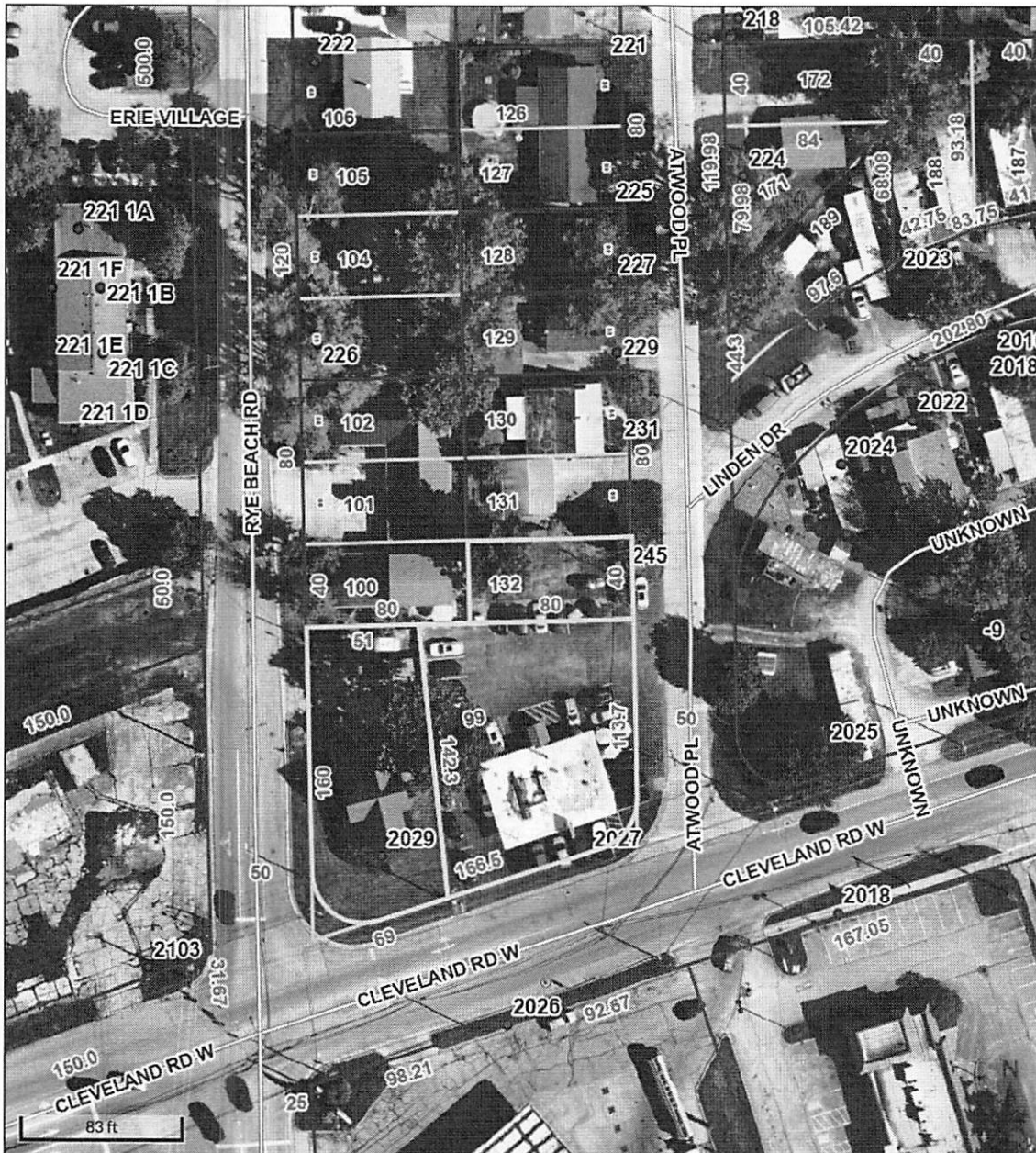
Daniel E. Hartung Jr. 6/21/23  
Daniel E. Hartung Jr., PE, PS



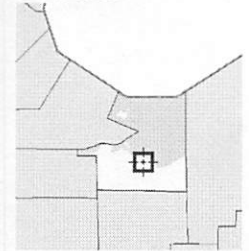


Richard H. Jeffrey  
ERIE COUNTY AUDITOR | ERIE COUNTY, OHIO

ALL PARCELS ARE ZONED R-1A



Overview



Legend

- Parcels
- Parcel Dimensions
- Parcel Dimensions (Original)
- Lot Lines
- Lot Line Labels
- Streets
- Addresses
  - 0
  - 1
  - <all other values>

Date created: 3/16/2023  
Last Data Uploaded: 3/16/2023 7:40:07 AM

Developed by Schneider  
GEOSPATIAL

43-00306.000  
43-00305.000  
43-00307.000



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Ordinance No. 2023-35 (*submitted by Matt Lasko*)  
**DATE:** September 26, 2023

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### **Subject Matter/Background**

This legislation seeks to approve both a first and second amendment to the Real Estate Purchase Agreement and Escrow Instructions between the City of Huron and Oster's MHP, LLC. The first is a ratification of a first amendment that was executed in the Spring of 2023. The first amendment sought to extend the amount of time the City of Huron had to object to items on the Title Commitment until April 6, 2023. The City subsequently was satisfied with the title commitment and related exceptions and proceeded to approve the underlying purchase agreement – but failed to ratify the first amendment when the purchase agreement was ratified in March. The second amendment seeks to accomplish a few things: (1) to approve the first sixty-(60) day vacation period extension, which extends the vacation period to January 29, 2024, and (2) inserts language that the Seller and Buyer will work collaboratively to ensure residents remaining are afforded additional/reasonable time to relocate provided they are actively engaged in relocation efforts. This addition does not apply, however, to residents who are not paying rent, engaged in unlawful activities or in breach of other legal obligations. Further, a protection was added for the Sellers to ensure that providing additional time to residents is not considered a breach of the underlying agreement.

### **Financial Review**

There is no further financial impact relating to the two amendments to the original Real Estate Purchase Agreement.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you.

### **Recommendation**

If Council is in agreement with the request, a motion adopting Ordinance No. 2023-35 as an emergency measure is in order.

[Ordinance No. 2023-35 Osters MHP 1st and 2nd Amendments.docx](#)

[Ordinance No. 2023-35 Exh A Osters MHP 1st and 2nd Amendments.pdf](#)

[Ordinance No. 2023-35 Exh B Osters MHP Second Amendment.pdf](#)

ORDINANCE NO. 2023-35  
Introduced by Sam Artino

AN ORDINANCE RATIFYING THE CITY MANAGER'S EXECUTION OF A FIRST AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS, AND AUTHORIZING THE CITY MANAGER'S EXECUTION OF A SECOND AMENDMENT TO THE REAL ESTATE PURCHASE AGREEMENT BY AND BETWEEN OSTER'S MHP, LLC AND THE CITY OF HURON, AS RATIFIED BY ORDINANCE NO. 2023-7 ADOPTED ON MARCH 28, 2023.

WHEREAS, the Huron City Council previous ratified a Real Estate Purchase Agreement by and between Oster's MHP, LLC and the City of Huron (hereinafter, the "Parties") with Ordinance No. 2023-7 adopted on March 28, 2023 for the purchase of the property located adjacent to Cleveland Road, West, currently known as Oster's Mobile Home Park (hereinafter, the "Agreement"), identified as Erie County, Ohio Permanent Parcel Number 43-00322.000, 43-00600.000, 43-00319.000, 43-00318.000, 43-00317.000, 43-00320.000 and 43-00321.000 (hereinafter, the "Property"); and

WHEREAS, a First Amendment to the Agreement was executed by the Parties on March 6, 2023, which amendment provided an extension of time until April 6, 2023 for any title objections; and

WHEREAS, the parties have been working collaboratively to relocate the residents and occupants living at the Property, including the City's efforts to identify and assist the residents and occupants to avail themselves of available resources for all such relocations; and

WHEREAS, the City has requested the Seller to temporarily delay commencement of legal proceedings against residents and occupants that are current on rent obligations to allow time for the City to assist the residents and occupants to avail themselves of available resources for relocation, and that as a result of Seller's compliance with the City's request, Seller has not failed to actively and continuously prosecute and/or defend claims of third parties; and

WHEREAS, the Second Amendment to the Agreement acts to approve the first Seller Vacation Period Extension of an additional sixty (60) days extension to the Seller Vacation Period, until January 29, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager's execution of the First Amendment to Real Estate Purchase Agreement and Escrow Instruction dated March 6, 2023 is hereby ratified, a copy of which First Amendment is attached hereto as Exhibit "A" and made a part hereof by reference.

SECTION 2. That the City Manager be, and hereby is, authorized to execute the Second Amendment to Real Estate Purchase Agreement and Escrow Instruction, a copy of which Second Amendment is attached hereto as Exhibit "B" and made a part hereof by reference.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and it is imperative this Ordinance be effective immediately, WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its adoption.

\_\_\_\_\_  
Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_

**FIRST AMENDMENT TO**  
**REAL ESTATE PURCHASE AGREEMENT AND ESCROW INSTRUCTION**

This First Amendment to Real Estate Purchase Agreement and Escrow Instructions (herein called "Amendment") by and between **OSTER'S MHP LLC**, an Ohio limited liability company (which with its successors and assigns is herein called "Seller") and **THE CITY OF HURON**, an Ohio chartered municipality (which with its successors and assigns is herein called "Buyer") (with Seller and Buyer being individually referred to herein as "Party" and collectively referred to herein as "Parties"), is to EVIDENCE THAT:

WHEREAS Seller and Buyer entered into a certain Real Estate Purchase Agreement and Escrow Instructions dated January 30, 2023 (the "Agreement"), for the purchase and sale of certain Real Estate as defined therein; and

WHEREAS Seller and Buyer have agreed to amend the Agreement to address an extension of the time for title objections.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows effective as of March 6, 2023 (the "Effective Date"):

1. Capitalized terms not defined herein have the meanings given to them in the Agreement.
2. As of the Effective Date, Section 7 of the Agreement shall be eliminated in its entirety and replaced with the following:

**"7. Title Commitment.**

(a) Buyer shall cause Title Company to issue, within fourteen (14) days after the last of the Parties have executed this Agreement, a commitment for an ALTA Owner's Policy of Title Insurance (with said title policy of insurance being referred to herein as "Title Policy") in the amount of the Purchase Price, and, if requested by Buyer, a commitment for an ALTA Mortgagee's Policy of Title Insurance (with said policy of insurance being referred to herein as "Loan Policy") in an amount to be determined (collectively, the "Commitment"), together with legible copies of all instruments evidencing those matters listed as exceptions in the Commitment, setting forth the state of title to the Real Estate as of the effective date of the Commitment, the Title Company's requirements to delete the standard printed exceptions in the title policy(ies), the results of a special tax search and committing to issue those endorsements reasonably required by Buyer. The Title Company shall deliver a copy of the Commitment to Seller, Buyer, and Buyer's lender. Buyer is not required to object to any tax, judgment, mortgage or mechanics liens which may be shown on the Commitment (collectively "Monetary Liens"), all of which will be discharged at Closing at Seller's sole cost and expense.

(b) Buyer may provide written objections to Seller pertaining to exceptions contained in the Commitment no later than April 6, 2023. Upon receipt of such written objections, Seller shall have the right but not the obligation to use reasonable diligence to remove, discharge or correct such liens, encumbrances or objections and shall have a period of thirty (30) days after April 6, 2023 in which to do so. If Seller shall be unwilling or unable to remove or discharge such other liens, encumbrances or objections within such period, then Buyer may, at its option, no later than fifteen business (15) days after Seller notifies Buyer in writing of Seller's unwillingness or inability, either terminate this Agreement or accept title in its then-existing condition. If Buyer shall


elect to terminate this Agreement, all deposit sums shall be returned to Buyer (including the Deposit and Additional Deposit, as applicable), and this Agreement shall promptly terminate, with Seller and Buyer having no further right or obligation hereunder to the other. If Buyer fails to give Seller written notice of objection to matters contained in the Commitment on or before April 6, 2023, all matters reflected on the Commitment shall be deemed to be accepted by Buyer.

(c) On or before the Closing Date, Buyer and/or Seller may cause the Title Company to update the Commitment. If the updated Commitment contains exceptions which are not acceptable to Buyer, Buyer in its reasonable discretion may file written objections thereto prior to the completion of Closing. If Buyer timely and properly files written objection to any such item, the same shall be treated in the same manner as a title defect pursuant to Section 7.1(a), above. If the updated Commitment contains no exceptions other than those reflected on the Commitment, or if Buyer fails to give written notice of new objections to Seller prior to completion of Closing, all matters reflected on the updated Commitment shall be deemed accepted by Buyer, and this Agreement shall remain in full force and effect and Buyer shall be obligated to complete the transaction as required by this Agreement."

3. All provisions of the Agreement as amended not modified by this Amendment shall remain in full force and effect.

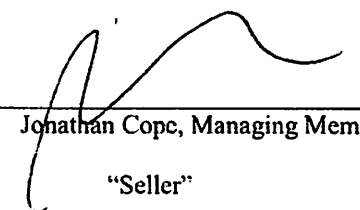
IN WITNESS WHEREOF, the Parties have caused this Amendment to be effective as of the Effective Date.

CITY OF HURON

By:   
Matthew Lasko, City Manager

"Buyer"

OSTER'S MHP LLC

By:   
Jonathan Cope, Managing Member

"Seller"

**SECOND AMENDMENT TO**  
**REAL ESTATE PURCHASE AGREEMENT AND ESCROW INSTRUCITON**

This Second Amendment to Real Estate Purchase Agreement and Escrow Instructions (herein called "Amendment") by and between OSTER'S MHP LLC, an Ohio limited liability company (which with its successors and assigns is herein called "Seller") and THE CITY OF HURON, an Ohio chartered municipality (which with its successors and assigns is herein called "Buyer") (with Seller and Buyer being individually referred to herein as "Party" and collectively referred to herein as "Parties"), is to EVIDENCE THAT:

WHEREAS, Seller and Buyer entered into a certain Real Estate Purchase Agreement and Escrow Instructions dated January 30, 2023 (the "Agreement"), for the purchase and sale of certain Real Estate as defined therein; and

WHEREAS, Seller and Buyer have been working collaboratively to relocate the residents and occupants living at the Real Estate, including Buyer's efforts to identify and assist the residents and occupants to avail themselves of available resources for all such relocations; and

WHEREAS, Buyer has requested Seller to temporarily delay commencement of legal proceedings against residents and occupants that are current on rent obligations to allow time for Buyer to assist the residents and occupants to avail themselves of available resources for relocation, and that as a result of Seller's compliance with Buyer's request, Seller has not failed to actively and continuously prosecute and/or defend claims of third parties; and

WHEREAS, Seller and Buyer agree that Seller has, in light of Buyer's assistance to the residents and occupants, continued to use the most legally expedient means to remove any and all interests of third parties as reasonably determined by Buyer; and

WHEREAS, Buyer provided the contractual Additional Deposit on April 4, 2023, making the Seller Vacation Period end date November 30, 2023; and

WHEREAS, Seller and Buyer have agreed to amend the Agreement to approve the first Seller Vacation Period Extension of an additional sixty (60) days extension to the Seller Vacation Period, until January 29, 2024.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows effective as of August 23, 2023 (the "Effective Date"):

1. Capitalized terms not defined herein have the meanings given to them in the Agreement.
2. Buyer and Seller hereby approve the first Seller Vacation Period Extension of an additional sixty (60) days extension to the Seller Vacation Period, which shall now end on January 29, 2024, subject to the terms and conditions set forth in Section 6.1(e) of the Agreement.

**Oster's MHP LLC-City of Huron**  
**Second Amendment**

3. The Parties desire to add the following as the last full sentence of Section 6.1(e) of the Agreement (added prior to the final phrase that states "Notwithstanding any contrary provision of this..."):

"Notwithstanding the foregoing, the Parties acknowledge and agree that they shall work collaboratively to ensure residents and/or occupants that are current on rent and lease-related obligations are afforded additional reasonable time within the Seller Vacation Periods (as may be extended) to permit relocation *provided* such tenants or occupants are also actively working on relocation as reasonably determined by Buyer. Notwithstanding any contrary provision of this Agreement (as amended):

(i) nothing in the Agreement shall serve to delay or retard the filing of any legal action(s) against tenants and/or occupants that are not paying rent, that are engaging an unlawful activity, or otherwise in breach of their legal obligations; and

(ii) Seller's election not to undertake legal action (including but not limited to eviction) for those tenants and/or occupants not paying Rent but that are otherwise actively seeking new living arrangements shall not be considered a breach of this Agreement."

4. All provisions of the Agreement as amended not modified by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be effective as of the Effective Date.

**CITY OF HURON:**

**OSTER'S MHP LLC**

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Matthew Lasko, City Manager

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Jonathan Cope, Managing Member