

## **RESOLUTION NO. 57-2021**

Introduced by Joel Hagy

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE A COASTAL PERMITS AND LEASE APPLICATION AND A SUBMERGED LAND LEASE APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES TO OBTAIN ONE OR MORE PERMITS RELATIVE TO A SUBMERGED PLOT OF LAND LYING NORTHEASTERLY OF ERIE COUNTY, OHIO PERMANENT PARCEL NUMBER 42-01077.000 COMMONLY KNOWN AS THE SHOWBOAT PROPERTY; AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBMERGED LAND LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE USE OF THE SUBMERGED LANDS.**

WHEREAS, the City of Huron ("City") desires to enter into one or more leases or obtain one or more permits relative to a submerged plot of land (lying northeasterly of lands conveyed to the City of Huron by deed recorded in RN 201312344 of Erie County Records [Erie County Parcel No. 42-01077.000, commonly known as the "Showboat Property"], a description of which is attached on Exhibit A ("Submerged Lands");

WHEREAS, by Resolution adopted on August 17, 2021, the Huron Joint Port Authority ("Authority") authorized the City to enter into one or more leases to obtain one or more permits as necessary for the use of the Submerged Lands, and further determined that the Submerged Lands are not necessary to Authority for the construction, maintenance, or operation by the Authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements, and marginal highways in the navigation and water commerce and that the land uses specified by the City comply with regulation of permissible land use under a waterfront plan of the Authority.

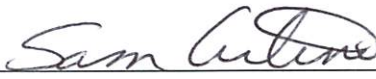
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**


**SECTION 1.** That the City Manager is hereby authorized to enter into a "Coastal Permits and Lease Application" and a "Submerged Land Lease Application" to the Ohio Department of Natural Resources as may be necessary for use of the Submerged Lands as defined above, substantially in the form of the agreements on file in the office of the Clerk of Council.

**SECTION 2.** That the City Manager is hereby authorized to enter into a "Submerged Land Lease Agreement" with the Department of Natural Resources for the use of Submerged Lands, substantially in the form of the agreement on file in the office of the Clerk of Council.

**SECTION 3.** 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 4.** That this resolution shall go into effect and be in full force and effect from and after the earliest date allowed by law.

  
\_\_\_\_\_  
Sam Artino, Mayor

Attest:   
\_\_\_\_\_  
Clerk of Council

Adopted: 24 AUG 2021



**EXHIBIT A**

**LEGAL DESCRIPTION  
SUBMERGED LANDS LEASE PARCEL  
0.2707 ACRES**

Situated in the State of Ohio, County of Erie, City of Huron and known as being submerged lands lying northeasterly of lands conveyed to the City of Huron by deed recorded in RN 201312344 of Erie County Records, of part of Original Huron Township, Outlot 30, Section 1, Old Town Plat of Huron, Water Lots 2-6 and being part of Township 6 North, Range 22 West of the Connecticut Western Reserve and being more particularly described as follows:

Beginning at the most westerly corner of Water Lot 6 in the Old Town Plat of Huron; Thence along the northwesterly extension thereof, North 50 degrees 15 minutes 48 seconds West a distance of 16.50 feet to a 5/8 inch iron pin found on the present southeasterly right of way of Main Street; Thence along the present southeasterly right of way of Main Street, North 39 degrees 44 minutes 12 seconds East a distance of 249.15 feet to the most northerly corner of said Water Lot 2 and the PRINCIPAL PLACE OF BEGINNING of the parcel described herein;

Course 1) Thence North 39 degrees 44 minutes 12 seconds East a distance of 57.80 feet;

Course 2) Thence North 48 degrees 53 minutes 07 seconds East a distance of 43.76 feet;

Course 3) Thence North 46 degrees 10 minutes 10 seconds East a distance of 20.93 feet;

Course 4) Thence South 46 degrees 30 minutes 12 seconds East a distance of 61.68 feet;

Course 5) Thence South 18 degrees 02 minutes 36 seconds East a distance of 17.90 feet;

Course 6) Thence South 31 degrees 42 minutes 37 seconds West a distance of 13.42 feet;

Course 7) Thence South 46 degrees 30 minutes 12 seconds East a distance of 10.49 feet;

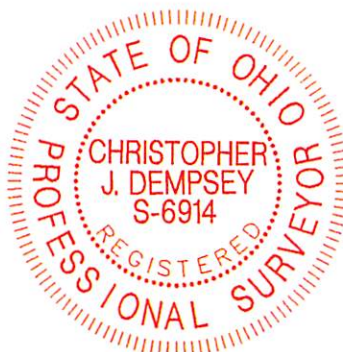
Course 8) Thence South 30 degrees 34 minutes 23 seconds West a distance of 95.45 feet to the southeasterly littoral rights property line extension of the northeasterly line of said lands conveyed to the City of Huron as aforesaid;

Course 9) Thence along said littoral rights property line extension and continuing along the northeasterly line of said lands conveyed to the City of Huron, North 50 degrees 15 minutes 48 seconds West a distance of 113.53 to the Principal Place of Beginning and containing 0.2707 acres (11,793 square feet) of land, according to a survey by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on March 2, 2021.

**BASIS OF BEARINGS:** Bearings are referenced to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD 83 datum.

*Christopher J. Dempsey*

Christopher J. Dempsey  
Ohio Professional Surveyor #6914







# COASTAL PERMITS AND LEASE APPLICATION

Please consult the instructions prior to completing this form. Please type or print clearly using blue or black ink.

## GENERAL INFORMATION

1. Property owner name: City of Huron	
2. Mailing address: 417 Main Street Huron, OH 44839	3. Home telephone number: 216-606-9088
	4. Alternate telephone number: 216-244-0286
	5. Email address: citymanager@huronohio.us
6. Authorized agent/representative name: Christopher Dempsey	
7. Mailing address: Dempsey Surveying Co 12815 Detroit Ave Lakewood, OH 44107	8. Telephone number: 216-226-1130
	9. Fax Number: 216-226-1131
	10. Email address: cdempsey@dempseysurvey.com

11. Street address: 417 Main Ave	
12. Permanent parcel number(s): 42-01077.000	
13. City or township: Huron	14. County: Erie
15. Site location description (if necessary): Vacant land- former location of Showboat Restaurant	16. Submittals (check if enclosed): <input checked="" type="checkbox"/> Location map

17. Name of adjoining shoreline property owner(s)	Street address/city/state/ zip code (include permanent mailing and local)
Showboat LLC	30 Main Street , Huron, OH 44839 Mailing address: 313 Kiwanis Ave., Huron, OH 44839

18. Brief description of the proposed structure or project (attach additional sheets if necessary): Existing park area and revetment. Work has already been performed.	
19. Anticipated start date: NA	20. Anticipated finish date: NA

21. To apply for an authorization, check the box below and complete the application on the reverse page:		
<input type="checkbox"/> Shore Structure Permit	<input checked="" type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input type="checkbox"/> Submerged Lands Lease Modification	<input type="checkbox"/> Consistency Statement

AGENCY USE ONLY				
Application Reference #:		Date Received:		
Lease Reference #:	This copy to:	<input type="checkbox"/> SSP	<input type="checkbox"/> SLL	<input type="checkbox"/> CEA <input type="checkbox"/> Other

**SHORE STRUCTURE PERMIT APPLICATION****§1506.40 ORC**

1. Professional Engineer:		2. Ohio registration number:
3. Mailing address:	4. Phone number:	7. Submittals (check if enclosed)  <input type="checkbox"/> Construction drawings (by professional engineer)  <input type="checkbox"/> Design information
	5. Fax number:	
	6. Email address:	

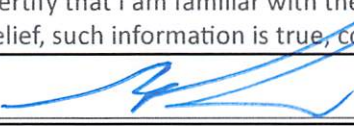
**SUBMERGED LANDS LEASE APPLICATION****§1506.11 ORC**

1. Total Area of Submerged Lands to be Occupied: .2707 acres or 11,793 S.F.	
2. Upland deed recording information [Deed book] RN 2013312344 [Deed page]	
3. Local Authority Issuing Resolution: Huron City Council/HSPA	Date issued: 8/24/2021/8/18/21
4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary):	6. Submittals (check if enclosed): <input type="checkbox"/> Construction drawings <input checked="" type="checkbox"/> Copy of title deed <input checked="" type="checkbox"/> Metes & bounds description and plat <input checked="" type="checkbox"/> Local resolution or ordinance <input type="checkbox"/> Legal documentation of signature authority

**COASTAL EROSION AREA PERMIT APPLICATION****§1506.07 ORC**

1. Authorization Type:	<input type="checkbox"/> Existing	<input type="checkbox"/> New Measure	Date Built (if existing):
2. Upland deed recording information [Deed book]		[Deed page]	
3. Construction start date for the building or addition:			
4. Brief description of the building or addition (attach additional sheets if necessary):		5. Submittals (check if enclosed): <input type="checkbox"/> Construction drawings <input type="checkbox"/> Permanent structure drawings <input type="checkbox"/> Copy of title deed <input type="checkbox"/> Construction schedule <input type="checkbox"/> Design information	

**SIGNATURE AND CONSISTENCY STATEMENT****§1506.03 ORC**

I certify that the proposed activity identified in this application shall comply with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03).  I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.	
	8-25-2021
Signature of Property Owner or Authorized Agent	Date

ENCLOSURE NOT NECESSARY

### QUIT CLAIM DEED

10 NORTH MAIN, INC., an Ohio corporation, for valuable consideration paid, grants to the CITY OF HURON, an Ohio municipal corporation, whose TAX MAILING ADDRESS is 417 Main Street, Huron, Ohio 44839 the following property:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

Prior instrument reference: Book \_\_\_\_\_ Page \_\_\_\_\_  
Erie County, Ohio Official Records.

EXECUTED this 18 day of November, 2013.

10 NORTH MAIN, INC.,  
an Ohio corporation

Elias Kafantaris President  
Elias Kafantaris, its President

STATE OF OHIO  
COUNTY OF Cuyahoga SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named, 10 NORTH MAIN, INC., an Ohio corporation, by Elias Kafantaris, its President, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Fairview Park, Ohio, this 18 day of November, 2013.

Thomas P. Bliss  
NOTARY PUBLIC

Thomas P. Bliss

My Comm. has no expiration

This instrument prepared by:  
John A. Kocher, Attorney at Law  
Port Clinton, Ohio 43452

HARTUNG TITLE ORDER # E-2530882

**10 N. Main Street Parcel**

**Being situated in the State of Ohio, County of Erie, Huron Township, Outlot 30, Section 1 now in the City of Huron, Old Town Plat of Huron, Water Lots 1-6, part vacated Main Street and being more definitely described as follows:**

**Beginning at a PK Nail, found, marking the Southwest corner of Water Lot 6 in the Old Town Plat of Huron;**

**(1) Thence North 54°00'00" West along the westerly extension of the South line of Water Lot 6, a distance of 16.50 feet to a point on the present easterly right-of-way line of Main Street;**

**(2) Thence North 36°00'00" East along the easterly right-of-way line of Main Street, a distance of 306.95 feet to a point;**

**(3) Thence North 45°27'49" East a distance of 42.51 feet to a point;**

**(4) Thence South 49°07'56" East a distance of 88.76 feet to a point;**

**(5) Thence South 26°54'36" West a distance of 79.48 feet to a point;**

**(6) Thence South 26°57'19" West a distance of 62.01 feet to a point;**

**(7) Thence South 34°59'21" West a distance of 50.08 feet to a point;**

**(8) Thence South 50°35'42" West a distance of 21.30 feet to a point;**

**(9) Thence South 41°34'11" West a distance of 130.94 feet to a point;**

**(10) Thence North 51°58'42" West a distance of 7.79 feet to a point;**

**(11) Thence South 39°42'41" West a distance of 0.90 feet to its intersection with the easterly extension of the South line of Water Lot 6;**

**(12) Thence North 54°00'00" West along the South line of Water Lot 6, a distance of 76.20 feet to a PK Nail, found and the point of beginning, containing 0.8592 acre, more or less, of which 0.1147 acre is in vacated Main Street and 0.3270 acre is in Water Lots 1-6 and 0.4175 acre is in Outlot 30, Section 1, but being subject to all legal highways, easements and restrictions of record.**



The above description was prepared by Daniel E. Hartung Jr., Professional Surveyor No. 5667 in November 2013, taken from existing plat and survey records and does not indicate an actual survey made by me. The bearings were assumed only for the purpose of indicating angles.

*Daniel E. Hartung Jr.* 11/7/2  
Daniel E. Hartung Jr., HBPS



Together with all right, title and interest in and to all lands and waters located between the north and south boundaries of the above described parcel extended easterly to the centerline of the Huron River.



**LEGAL DESCRIPTION  
SUBMERGED LANDS LEASE PARCEL  
0.2707 ACRES**

Situated in the State of Ohio, County of Erie, City of Huron and known as being submerged lands lying northeasterly of lands conveyed to the City of Huron by deed recorded in RN 201312344 of Erie County Records, of part of Original Huron Township, Outlot 30, Section 1, Old Town Plat of Huron, Water Lots 2-6 and being part of Township 6 North, Range 22 West of the Connecticut Western Reserve and being more particularly described as follows:

Beginning at a 5/8 inch iron pin found at the intersection of the present southeasterly right of way of Main Street (66 feet wide) and the northwesterly extension of southwesterly line of said Water Lot 6, said point also being North 39 degrees 44 minutes 12 seconds East a distance of 181.92 feet from a 5/8 inch iron pin with "Hancock Associates" cap found at the intersection of the present southeasterly right of way of Main Street and the northeasterly right of way of Wall Street (82.5 feet wide); Thence along the present southeasterly right of way of Main Street, North 39 degrees 44 minutes 12 seconds East a distance of 249.15 feet to the most northerly corner of said Water Lot 2 and the PRINCIPAL PLACE OF BEGINNING of the parcel described herein;

Course 1) Thence North 39 degrees 44 minutes 12 seconds East a distance of 57.80 feet;

Course 2) Thence North 48 degrees 53 minutes 07 seconds East a distance of 43.76 feet;

Course 3) Thence North 46 degrees 10 minutes 10 seconds East a distance of 20.93 feet;

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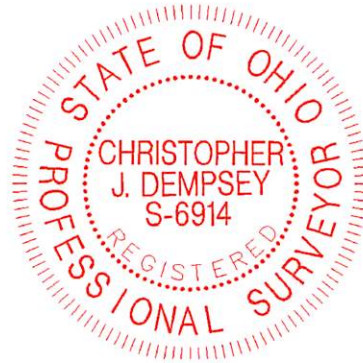
Course 8) Thence South 30 degrees 34 minutes 23 seconds West a distance of 95.45 feet to the southeasterly littoral rights property line extension of the northeasterly line of said lands conveyed to the City of Huron as aforesaid;

Course 9) Thence along said littoral rights property line extension and continuing along the northeasterly line of said lands conveyed to the City of Huron, North 50 degrees 15 minutes 48 seconds West a distance of 113.53 to the Principal Place of Beginning and containing 0.2707 acres (11,793 square feet) of land, according to a survey by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on March 2, 2021.

BASIS OF BEARINGS: A bearing of North 39 degrees 44 minutes 12 seconds East was observed on the southeasterly right of way of Main Street and is referenced to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD 83 datum.

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Christopher J. Dempsey  
Ohio Professional Surveyor #6914



RESOLUTION NO. 1

Introduced by: ROBERT M. MORE

**A RESOLUTION TO AUTHORIZE THE USE OF PROPERTY.**

WHEREAS, the Huron Joint Port Authority ("Authority") has been approached to allow the City of Huron ("City") to enter into one or more leases or obtain one or more permits relative to a submerged plot of land (lying northeasterly of lands conveyed to the City of Huron by deed recorded in RN 201312344 of Erie County Records [Erie County Permanent Parcel No. 42-01077.000, commonly known as the "Showboat Property"]), a description of which is attached on Exhibit A ("Submerged Lands").

WHEREAS, the Submerged Lands are not necessary to the Authority for the construction, maintenance, or operation by the Authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements, and marginal highways in aid of navigation and water commerce and that the land uses specified by the City comply with regulation of permissible land use under a waterfront plan of the Authority; and

WHEREAS, the Authority does desire to allow the City to enter into one or more leases and/or obtain one or more permits as necessary for the use of the Submerged Lands.

**NOW THEREFORE, BE IT RESOLVED BY THE  
HURON JOINT PORT AUTHORITY, OHIO:**

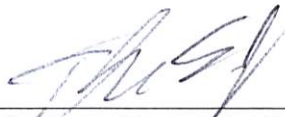
**SECTION 1:** That the Authority authorizes the City to enter into a "Coastal Permits and Lease Application" and a "Submerged Land Lease Application" as may be necessary for use of the Submerged Lands.

**SECTION 2:** That, if approved by the City through its legal counsel and staff, the Authority authorizes the City to enter into a "Submerged Land Lease Agreement" with the Ohio Department of Natural Resources for use of the Submerged Lands.

**SECTION 3:** That it is found and determined that all formal actions of this Authority concerning and relating to the passage of this Resolution were adopted in an open meeting, and that all deliberations of this Authority 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:** This Resolution shall be in full force and effect from and immediately following its adoption.

  
Chair - Huron Joint Port Authority

ATTEST:   
Member - Huron Joint Port Authority

ADOPTED: 8/18/21



**EXHIBIT A**

**LEGAL DESCRIPTION  
SUBMERGED LANDS LEASE PARCEL  
0.2707 ACRES**

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Course 2) Thence North 48 degrees 53 minutes 07 seconds East a distance of 43.76 feet;

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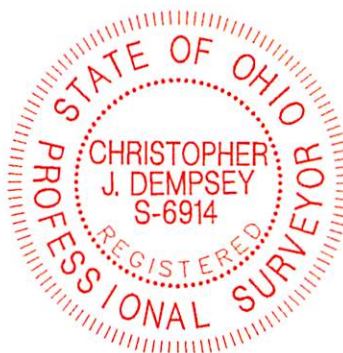
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**BASIS OF BEARINGS:** Bearings are referenced to Grid North of the Ohio State Plane Coordinate System, North Zone, NAD 83 datum.



Christopher J. Dempsey

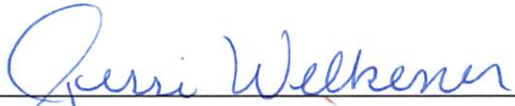
Christopher J. Dempsey  
Ohio Professional Surveyor #6914



# CERTIFICATION

I, Terri S. Welkener, Clerk of the Council of the City of Huron, Ohio, do hereby certify that the attached is a true and correct copy of Resolution No. 57-2021 adopted at a regular meeting of the Council of the City of Huron, Erie County, Ohio which was held on August 24, 2021.

Given under my hand and seal this 25<sup>th</sup> day of August, 2021.

  
\_\_\_\_\_  
Terri S. Welkener  
Clerk of Council



## **RESOLUTION NO. 57-2021**

Introduced by Joel Hagy

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE A COASTAL PERMITS AND LEASE APPLICATION AND A SUBMERGED LAND LEASE APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES TO OBTAIN ONE OR MORE PERMITS RELATIVE TO A SUBMERGED PLOT OF LAND LYING NORTHEASTERLY OF ERIE COUNTY, OHIO PERMANENT PARCEL NUMBER 42-01077.000 COMMONLY KNOWN AS THE SHOWBOAT PROPERTY; AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBMERGED LAND LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE USE OF THE SUBMERGED LANDS.**

WHEREAS, the City of Huron ("City") desires to enter into one or more leases or obtain one or more permits relative to a submerged plot of land (lying northeasterly of lands conveyed to the City of Huron by deed recorded in RN 201312344 of Erie County Records [Erie County Parcel No. 42-01077.000, commonly known as the "Showboat Property"], a description of which is attached on Exhibit A ("Submerged Lands");

WHEREAS, by Resolution adopted on August 17, 2021, the Huron Joint Port Authority ("Authority") authorized the City to enter into one or more leases to obtain one or more permits as necessary for the use of the Submerged Lands, and further determined that the Submerged Lands are not necessary to Authority for the construction, maintenance, or operation by the Authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements, and marginal highways in the navigation and water commerce and that the land uses specified by the City comply with regulation of permissible land use under a waterfront plan of the Authority.

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

**SECTION 1.** That the City Manager is hereby authorized to enter into a "Coastal Permits and Lease Application" and a "Submerged Land Lease Application" to the Ohio Department of Natural Resources as may be necessary for use of the Submerged Lands as defined above, substantially in the form of the agreements on file in the office of the Clerk of Council.

**SECTION 2.** That the City Manager is hereby authorized to enter into a "Submerged Land Lease Agreement" with the Department of Natural Resources for the use of Submerged Lands, substantially in the form of the agreement on file in the office of the Clerk of Council.

**SECTION 3.** 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 4.** That this resolution shall go into effect and be in full force and effect from and after the earliest date allowed by law.

  
\_\_\_\_\_  
Sam Artino, Mayor

Attest:   
\_\_\_\_\_  
Clerk of Council

Adopted: 24 AUG 2021

**EXHIBIT A**

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*Christopher J. Dempsey*

Christopher J. Dempsey  
Ohio Professional Surveyor #6914

