

**SUPERINTENDENT'S REPORT**  
**ADDENDUM**  
**MARCH 15, 2010**

**1a. RESOLUTION FINDING PROPERTY NOT REQUIRED FOR SCHOOL PURPOSES AND AUTHORIZING PUBLIC AUCTION THEREOF:**

WHEREAS, the Nordonia Hills City School District (the "District") is the owner of a 93.28 acre parcel of land located in the Township of Sagamore Hills ("the Property"), described more fully in attached Exhibit A, which is no longer required for school purposes; and

WHEREAS, the District is in need of funds to pay for needed capital projects and the proceeds of the sale of the Property would help to provide such funds; and

WHEREAS, the District desires to proceed expeditiously with public auction of the Property.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE NORDONIA HILLS CITY SCHOOL DISTRICT:

1. The Board finds that the Property, which exceeds Ten Thousand Dollars (\$10,000.00) in value, is no longer needed for school purposes and should be sold pursuant to Ohio law.
2. The Property shall be sold in a manner provided by Section 3313.41 of the Ohio Revised Code, subject to the terms of this Resolution, to the highest bidder conforming to the terms of the bidding process, after at least thirty (30) days notice (the "Notice") of sale in a newspaper of general circulation and such other places as the Superintendent deems appropriate.
3. The sale of the Property shall be upon the following terms and conditions, and such other terms and conditions consistent with this Resolution as may be determined by the Superintendent:
  - a. The sale shall be by public auction at a time and place to be designated by the Superintendent in the Notice;
  - b. The auction may be conducted as a live event or through sealed bids at the discretion of the Superintendent;
  - c. The sale of the Property to the successful bidder shall not be final until accepted by the Board by resolution, with written notice of the acceptance sent to the successful bidder by the Treasurer;
  - d. The Board reserves the right to reject any and all bids;
  - e. At the time of completion of the auction, the highest bidder conforming to the terms of the bidding process shall deliver to the Board a purchase agreement in compliance with the bidding materials to be prescribed by the Superintendent (the "Agreement"), together with cash or a certified or cashier's check made payable to the Board in the amount of Twenty Five Thousand Dollars (\$25,000.00) as a security deposit for faithful performance in the event the Board accepts the bid; and

- f. In the event the successful bidder completes its obligations under the Agreement, the Board will transfer the Property to the successful bidder via a quit claim deed, without representations or warranties concerning the Property, in its AS IS, WHERE IS WITH ALL FAULTS condition at the time of the closing of the sale.
4. The Superintendent is hereby authorized and directed to advertise the sale of the Property in a newspaper of general circulation and such other places as he deems appropriate, substantially in the form of the Notice attached hereto as Exhibit B ("the Notice"), but nevertheless subject to modifications as the Superintendent deems appropriate.
5. The Superintendent is authorized to engage an auctioneer and appraiser at usual and customary charges to conduct an auction and appraisal of the Property and to take such other actions as are appropriate to carrying out such auction if same becomes necessary.
6. The Board finds and determines that all formal actions of the Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board resulting in such formal action were in meetings open to the public and in compliance with Ohio law.
7. The actions of the Superintendent in furtherance of the foregoing resolutions to date are hereby ratified in all respects.



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# Governor's Deed State of Ohio

**KNOW ALL MEN BY THESE PRESENTS: THAT**

**WHEREAS:** Under and by virtue of the provisions of Substitute House Bill Number 507, passed by the 124<sup>th</sup> General Assembly on May 22, 2002, approved by the Governor on June 18, 2002, effective September 17, 2002 (the "Act"), the Auditor of State, with the assistance of the Attorney General, is authorized to prepare, and the Governor is authorized to execute a deed conveying all of the State of Ohio's right, title and interest in the real estate described in Section 2 (A) of said Act unto Nordonias Hills City School District, and its successors and assigns; and

**WHEREAS:** In accordance with the provisions of Section 2 (B) of said Act, the consideration for the conveyance of both parcels of the real estate described in division (A) of Section 2 of this Act is One Million One Hundred Thousand and No/100 Dollars (\$1,100,000.00), payable as follows: \$400,000.00 payable at closing, \$100,000.00 payable not later than twelve months after closing, \$300,000.00 payable not later than eighteen months after closing, and \$300,000.00 payable not later than twenty-four months after closing.

**NOW, THEREFORE: THE STATE OF OHIO, by BOB TAFT, GOVERNOR,** acting under the authority of Substitute House Bill Number 507 of the 124<sup>th</sup> General Assembly, and in the consideration of One Million One Hundred Thousand and No/100 Dollars (\$1,100,000.00), does hereby remise, release and forever and quitclaim unto Nordonias Hills City School District, and its successors and assigns, all of the state's right, title and interest in the following described real estate:

~~45-018-73~~

~~NF 06158-01-004-000~~

**Parcel Three**

Situated in the State of Ohio, County of Summit, Township of Sagamore Hills, being part of original Northfield Township Lot 71 further bounded and described as follows:

Beginning at an iron pin, found in a monument box in the centerline intersection of Dunham Road (C.H. 150, 50' R/W) with the centerline of Sagamore Road (C.H. 1 60' R/W);

Thence, S 20°00'17" W, along the centerline of Dunham Road, 421.55 feet to a 5/8" capped rebar found;

Thence, S 07°18'35" E, continuing along the centerline of Dunham Road, 680.00 feet to the True Place of beginning for the parcel being described herein;

NEW # 4505177

NF 0000/ A3 002 000

SPLIT/COMBINE/NEW  
LEGAL DESCRIPTION  
APPROVED BY  
GIS

Miller Examining Services, Inc. ME  
21437  
A R T

NF  
PAT 1-16-03

Thence, S 07°18'35" E, continuing along said centerline, 196.62 feet to a 5/8" capped rebar found;

Thence, S 16°28'49" E, continuing along said centerline, 387.42 feet to the northeast corner of land described in deed to A.L. and H.L. Heiser by Deed Volume 5219, Page 356 of Summit County Records of Deeds;

Thence, S 88°02'42" W, leaving said centerline, along the north line of said Heiser lands, passing thru a 5/8" capped rebar found at 25.65 feet, a total distance of 725.71 feet to a 2" pipe found;

Thence, S 89°24'12" W, 255.92 feet to a 5/8" capped rebar set;

Thence, N 00°13'54" W, 594.57 feet to a 5/8" capped rebar set in the south line of Sagamore Sites allotment as recorded in Plat Book 47, Page 128 of Summit County Records of Plats;

Thence, S 89°57'29" E, along the south line of the platted lands and the south line of lands deeded to J.A. Haffner, S.R., passing thru a 1" pinch pipe found at 823.53 feet. A total distance of 848.68 feet to the True Place of Beginning and containing 12.126 acres of land but subject to all legal highways, easements, and restrictions as surveyed by Robert J. Warner, P.S., Number 6931 for Environmental Design Group, Inc. in July 1996.

The Basis of Bearings for the above described parcel is grid north, Ohio State Plane Coordinate System, North Zone.

Parcel Four

~~45-02300-NF-00001-01-01-000~~

Situated in the State of Ohio, County of Summit, Township of Sagamore Hills, being part of original Northfield Township Lots 71 and 81, further bounded and described as follows:

Commencing for reference at an iron pin in a monument box found in the centerline intersection of Dunham Road (C.H. 150, 50'R/W) with the centerline of Sagamore Road (C.H. 1 60' R/W), said iron pin being on the north line of said Lot 71;

Thence, S 89°59'03" W, along the centerline of Sagamore Road and the North line of said Lot 71, 969.08 feet to an iron pin in a monument box found;

Thence, S 89°59'20" W, continuing along said centerline and lot line, 728.61 feet to a point at the northwest corner of land described in deed to Ernice A. Bardoun by Deed Volume 6855, Page 766 of Summit County Records of Deeds and the True Place of Beginning for the parcel being described herein;

Thence, S 00°00'40" E, leaving said centerline, along the west line of said Bardoun lands and passing through a 1/2" pin found at 29.88 feet, a total distance of 350.00 feet to a 5/8" capped rebar set at the southwesterly corner thereof and northerly line of Sagamore Sites as recorded in Plat Book 47, Page 128 of Summit County Records; Thence, S 89°50'45" W, along the north line of said platted lands, 133.18 feet to a point at the northwesterly corner thereof. Said point being witnessed by a 3/4" iron pipe found S 05°09'19" E, 0.33 feet;

Thence, S 01°25'09" E, along the west line of said platted lands, 718.76 feet to a 5/8" capped rebar set the southwest corner thereof;

Thence, S 89°57'29" E, along the south line of said platted lands, 906.62 feet to a 5/8" capped rebar set;

Thence, S 00°13'54" E, leaving the south line of the platted lands, 594.57 feet to a 5/8" capped rebar set;

Thence, N 89°24'12" E, 255.92 feet to a 2" iron pipe found at the northwest corner of land

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John A Donofrio, Summit Fiscal Officer

described in deed to A.L. Heiser by Deed Volume 5219, Page 356 of Summit County Records of Deeds;

Thence, S 01°30'59" E, along the west line of said Heiser lands described in deed to V.R. Lalli by Deed Volume 7233, Page 422 of Summit County Records of Deeds, and the west line of Highview Acres Subdivision as recorded in Plat Book 60, Page 5 of Summit County Records of Plats, 925.15 feet to a 2" lead filled pipe found at the southwest corner of said subdivision and the northerly line of land described in deed to Janet S. Casto by Official Record 113, Page 705 of Summit County Records;

Thence, S 89°39'16" W, along the north line of said Casto lands and the north line of Towpath Park as recorded in Plat Cabinet K, Page 650 of Summit County Records of Plats 1151.67 feet to a 5/8" rebar found at the northwest corner thereof and the southwest corner of said Lot 71;

Thence, S 89°23'57" W, along the south line of original Lot 81 and the north line of lands described in deed to H.J. and I. Donzalski by Deed Volume 3304, Page 142 of Summit County Records of Deeds; 804.06 feet to a 5/8" capped rebar set on the easterly line of land described in deed to The Cleveland Electric Illuminating Company by Deed Volume 4957, Page 235 of Summit County Records of Deeds;

Thence, N 01°11'42" W, leaving the south line of lot 81, continuing along the easterly line of said C.E.I. lands, 1407.14 feet to a point;

Thence, N 11°09'15" E, continuing along said C.E.I. lands, 1217.70 feet to the centerline of Sagamore Road and the north line of said Lot 81;

Thence, N 89°59'20" E, along said centerline 675.34 feet the True Place of Beginning and containing 81.947 acres of land but subject to all legal highways easements and restrictions if any as surveyed by Robert J. Warner, P.S., Number 6931 for Environmental Design Group, Inc. in August of 1996.

The Basis of Bearings for the above described parcel is grid north of the Ohio State plane coordinate system, north zone.

Approved By the County Of Summit Planning Commission

(No. Plat Required) Date January 9, 2003

Daniel A. Keller  
for Secretary

According to Section 11.131 of the O.R.C.  
Applicable Transfer Only, No Building Site Approval Granted.  
Valid For (180) Days From The Above Date RD 2 & 8

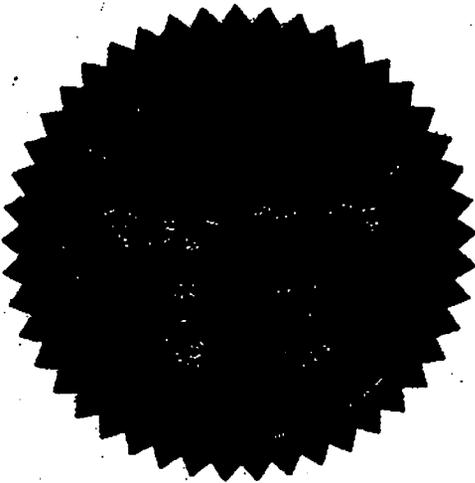
**TO HAVE AND TO HOLD** said property with the privileges and appurtenances thereunto belonging to Nordonia Hills City School District, and its successors and assigns.



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John A Donofrio, Summit Fiscal Officer

IN TESTIMONY WHEREOF, I, BOB TAFT, GOVERNOR, for and in the name of the State of Ohio, have signed this deed at Columbus, Ohio, and have caused the same to be countersigned by the Secretary of State and the Great Seal of the State of Ohio to be hereunto affixed this 11TH day of OCTOBER, Two Thousand and Two (2002).



THE STATE OF OHIO

BY Bob Taft  
BOB TAFT  
GOVERNOR

COUNTERSIGNED

BY J. Kenneth Blackwell  
J. KENNETH BLACKWELL  
SECRETARY OF STATE

DRAFTED AND PREPARED

BY Jim Petro  
JIM PETRO  
AUDITOR OF STATE  
PURSUANT TO SUBSTITUTE  
HOUSE BILL NO. 504  
(124<sup>TH</sup> G.A.) AND SECTIONS 117.50  
AND 5301.13 (O.R.C.)

Recorded in Volume 12 Page 61, New Deeds Various State Lands  
Land Office, Auditor of State

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American Title Trust Agency  
# 29763



John A Donofrio, Summit Fiscal Officer

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