

**ORDINANCE NO.: 113-2021 (As Revised 11/23/21)**

**INTRODUCED BY: Henry, Alexander, Lewis, Lentine, and Mayor Roche**

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CITY OF RICHMOND HEIGHTS, OHIO IN CONNECTION WITH THE ESTABLISHMENT OF A TAX INCREMENT FINANCING PROGRAM UNDER OHIO REVISED CODE SECTION 5709.41; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Richmond Heights Town Square Owner LLC and DPM 775 Richmond Wilson Road LLC ("Owners"), affiliates of Belle Oaks Marketplace LLC (the "Developer"), are the fee owners of certain real property located in the City of Richmond Heights, Ohio (the "City"), which real property is more particularly described on Exhibit A attached hereto (the "Property");

**WHEREAS**, the Developer desires to develop and redevelop the Property, consisting of multiple parcels of land, as a mixed-use development of residential, commercial and retail spaces and other complementary uses (the "Project");

**WHEREAS**, the Developer and the City, upon the formal petition and request of the Developer, have collaborated to create a new community authority organized under Ohio Revised Code ("O.R.C.") Chapter 349 called the Belle Oaks New Community Authority (the "Authority") to support the Project, and carry out its new community development program and issue revenue bonds to support such program;

**WHEREAS**, the City anticipates that the Authority will be issuing revenue bonds supported, at least in part, by revenues created pursuant to the City's adoption of a separate tax exemption under an ordinance adopted by the City pursuant to O.R.C. Section 5709.41;

**WHEREAS**, in order for the City to adopt an ordinance under O.R.C. Section 5709.41, it is necessary for the City to have owned the Property;

**WHEREAS**, Sections 13 of Article VIII of the Ohio Constitution provides that it is in the public interest and a proper public purpose for the City to enhance economic development and preserve jobs and employment opportunities and to improve the economic and general well-being of the people of the City; and

**WHEREAS**, it is necessary for the immediate preservation of public peace, prosperity, health and safety of the City, that this Ordinance take effect at the earliest possible date in order to allow development and redevelopment to begin on the Project;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, STATE OF OHIO, THAT:**

Section 1. Subject to and only following receipt of a fully executed, binding indemnification agreement from the Developer in a form acceptable to both the Director of Law and the Mayor, the Mayor, on behalf of the City is hereby authorized and directed to accept the conveyance of the Property by the Owners, and to thereafter re-convey the Property to the Owners or such third-party as identified by the Developer to accept such re-conveyance, all such actions to be without cost to the City.

Section 2. The conveyance and re-conveyance provided for in Section 1 of this Ordinance is necessary and proper for the economic development of the City and the redevelopment of the Property, and that the utilization of this Property in connection with the anticipated adoption of an exemption pursuant to O.R.C. Section 5709.41 will benefit the people of the City by increasing opportunities for employment and strengthen the economic welfare of the City, and that the Property is not needed for a municipal purpose.

Section 3. Competitive bidding in connection with the City's re-conveyance of the Property is hereby waived as both the conveyance and re-conveyance are necessary for the Project.

Section 4. This Council further authorizes and directs the Mayor to take all necessary and proper actions to fulfill the terms of this Ordinance, including execution of an indemnification agreement, quit-claim deeds and such other documents and instruments deemed by the Mayor and its Director of Law to be reasonably necessary or appropriate in order to effectuate the conveyance and re-conveyance.

Section 5. 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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City, due to the benefits resulting from implementation of the Project, as well as the numerous benefits to the City's overall economic health and competitiveness, the benefits to the quality of life of its residents, and the critical timing and seasonality considerations associated with the Project's financing and construction; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 23, 2021

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

APPROVED: November 23, 2021

\_\_\_\_\_  
David H. Roche, Mayor

ATTEST: Betsy Traben  
Betsy Traben  
Clerk of Council

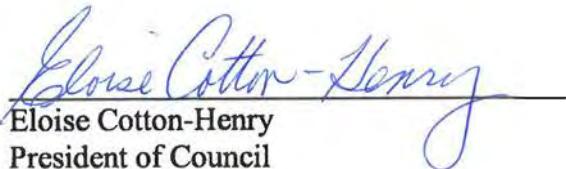
  
\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

EXHIBIT A  
DESCRIPTION OF PROPERTY

**PPN 662-27-050 (includes PPN 662-30-121)**



Legal Description

Belle Oaks

Legal Description – Parcel 1A

March 22, 2021

File No. 14276-LD006

Sheet 1 of 2

Situated in City of Richmond Heights, County of Cuyahoga, State of Ohio and known as being part of Parcel A in the Lot Split and Consolidation Plat, of part of Original Euclid Township Lot No. 76, Tract 12, as shown in recorded plat in A.F.N. 201812060683 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at the Northwesterly corner of a parcel of land conveyed to Richmond Heights Town Square Owner, LLC by deed recorded in A.F.N. 201812060683 of Cuyahoga County Records, and also being the Southwesterly corner of a parcel of land conveyed to Faith United Church of Christ by deed recorded in A.F.N. 200507140552 of Cuyahoga County records and said corner being on the center line of Richmond Road (Width Varies);

Course 1 Thence North 89°49'40" East, along the Southerly line of said Faith United Church of Christ parcel and continuing along the Southerly line of a parcel of land conveyed to Richmond Reserve Homeowners Association by deed recorded in A.F.N. 200701110737 of Cuyahoga County Records, a distance of 842.44 feet to 5/8" iron pin set at an interior corner of said Richmond Reserve Homeowners Association parcel;

Course 2 Thence South 00°39'01" East, a distance of 31.05 feet to a 5/8" iron pin set;

Course 3 Thence North 88°45'05" East, a distance of 100.28 feet to a 5/8" iron pin set;

Course 4 Thence South 01°13'15" East, a distance of 294.30 feet to a 5/8" iron pin set;

Course 5 Thence South 88°44'59" West, a distance of 139.05 feet to a 5/8" iron pin set;

Course 6 Thence South 01°15'01" East, a distance 264.00 feet to a 5/8" iron pin set;

Course 7 Thence South 88°44'59" West, a distance of 232.99 feet to a 5/8" iron pin set;

Course 8 Thence South 01°15'01" East, a distance of 3.75 feet to a 5/8" iron pin set at the Northwesterly corner of a parcel of land conveyed to Richmond Town Square Realty Holding LLC by deed recorded in A.F.N. 201811130209 of Cuyahoga County Records;

Legal Description

Belle Oaks

Legal Description Parcel 1A

March 22, 2021

File No. 14276-LD006

Sheet 2 of 2

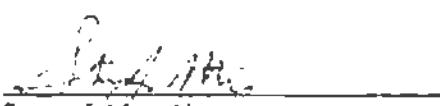
Course 9 Thence South 00°10'20" East, along the Westerly line of said Richmond Town Square Realty Holding LLC and continuing along the interior line of a parcel of land conveyed to Richmond Heights Owner LLC by deed recorded in A.F.N. 201712270493 of Cuyahoga County Records, a distance of 135.24 feet to an interior corner of said parcel and witnessed by a drill hole found South 10°13'32" West, a distance of 0.18 feet;

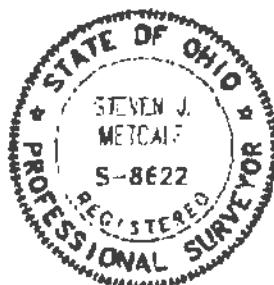
Course 10 Thence South 89°49'40" West, along a Northerly line of said Richmond Heights Owner, LLC parcel, a distance 579.50 feet to the Northwesterly corner of said Richmond Heights Owner, LLC parcel and a point on the center line of said Richmond Road;

Course 11 Thence North 00°52'08" West, along the center line of said Richmond Road, a distance of 48.44 feet to an angle point on said center line;

Course 12 Thence North 00°39'30" West, along the center line of said Richmond Road, a distance of 756.80 feet to the place of beginning and containing 14.7600 Acres (642,947 square feet) of land, of which 0.7949 Acres (34,325 square feet) is within the right of way of said Richmond Road, leaving a remainder parcel of 13.9651 Acres (608,622 square feet) as surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates.  
Field work performed in September 6, 2019.

Be the same more or less, but subject to all legal highways and easements of record.

  
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Steven J. Metcalf  
Registered Surveyor No. 8622-Ohio



**PPN 662-28-068**



Legal Description

Belle Oaks

Legal Description - Parcel 1B

March 22, 2021

File No. 14276-LD007

Sheet 1 of 2

Situated in City of Richmond Heights, County of Cuyahoga, State of Ohio and known as being part of Parcel A in the Lot Split and Consolidation Plat, of part of Original Euclid Township Lot No. 76, Tract 12, as shown in recorded plat in A.F.N. 201812060683 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at the Northwesterly corner of a parcel of land conveyed to Richmond Heights Town Square Owner, LLC by deed recorded in A.F.N. 201812060683 of Cuyahoga County Records, and also being the Southwesterly corner of a parcel of land conveyed to Faith United Church of Christ by deed recorded in A.F.N. 200507140552 of Cuyahoga County records and said corner being on the center line of Richmond Road (Width Varies);

Thence North 89°49'40" East, along the Southerly line of said Faith United Church of Christ parcel and continuing along the Southerly line of a parcel of land conveyed to Richmond Reserve Homeowners Association by deed recorded in A.F.N. 200701110737 of Cuyahoga County Records, a distance of 842.44 feet to 5/8" iron pin set at an interior corner of said Richmond Reserve Homeowners Association parcel and the principal place of beginning;

Course 2 Thence North 00°39'01" West, along an Easterly line of said Richmond Reserve Homeowners Association parcel, a distance of 360.26 feet to another interior corner of said parcel and witnessed by a 5/8" iron pin found South 10°33'23" East, a distance of 0.43 feet;

Course 3 Thence North 89°50'08" East, along a Southerly line of said Richmond Reserve Homeowners Association parcel, a distance of 378.84 feet to a 5/8" iron pin set at the Northwesterly corner of a parcel of land conveyed to Richmond Town Square Realty Holding, LLC by deed recorded in A.F.N. 201811130209 of Cuyahoga County Records;

Course 4 Thence South 00°58'13" East, along a Westerly line of said Richmond Town Square Realty Holding, LLC parcel, a distance of 360.23 feet to a 5/8" iron pin set at an interior corner of said parcel;

Legal Description  
Belle Oaks  
Legal Description - Parcel 1B  
March 22, 2021  
File No. 14276-LD007  
Sheet 2 of 2

Course 5 Thence South 89°49'40" West, along a Northerly line of said Richmond Town Square Realty Holding, LLC parcel, a distance of 18.21 feet to a 5/8" iron pin set at an interior corner of said parcel;

Course 6 Thence South 01°05'47" East, continuing along a Westerly line of said Richmond Town Square Realty Holding, LLC parcel, a distance 670.06 feet to a 5/8" iron pin set at an interior corner of said parcel;

Course 7 Thence South 89°49'40" West, along a Northerly line of said Richmond Town Square Realty Holding, LLC parcel, a distance of 633.13 feet to a 5/8" iron pin set;

Course 8 Thence North 01°15'01" West, a distance of 75.61 feet to a 5/8" iron pin set;

Course 9 Thence North 88°44'59" West, a distance 232.99 feet to a 5/8" iron pin set;

Course 10 Thence North 01°15'01" West, a distance of 264.00 feet to a 5/8" iron pin set;

Course 11 Thence North 88°44'59" East, a distance of 139.05 feet to a 5/8" iron pin set;

Course 12 Thence North 01°13'15" West, a distance of 294.30 feet to a 5/8" iron pin set;

Course 13 Thence South 88°45'05" West, a distance of 100.28 feet to a 5/8" iron pin set

Course 14 Thence North 00°39'01" West, a distance of 31.05 feet to the principal place of beginning and containing 8.7566 Acres (381,438 square feet) of land, as surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates. Field work performed in September 6, 2019.

Be the same more or less, but subject to all legal highways and easements of record.

*14276-LD007*  
Steven J. Metcalf  
Registered Surveyor No. 8622-Ohio



**PPNs 662-27-049 and 662-30-120**

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio:

And known as being a part of Original Euclid Township Lot 76 in Tract 5, and being further bounded and described as follows:

Beginning at the intersection of the centerline of Richmond Road, 86 feet wide, with the centerline of Wilson Mills Road, 80 feet wide;

Thence North  $0^{\circ}00'15''$  West along the centerline of Richmond Road a distance 369.92 feet to the principal place of beginning of the parcel of land herein described;

Thence continuing North  $0^{\circ}00'15''$  West, along the centerline of Richmond Road a distance of 401.88 feet to a point; Thence North  $89^{\circ}59'45''$  East, a distance of 20.97 feet to a point of tangency therein;

Thence Southeasterly along a curved line deflecting to the right an arc distance of 171.16 feet to a capped iron pin set, said curved line having a radius of 229.50 feet and a chord which bears South  $68^{\circ}38'18''$  East, 167.22 feet;

Thence Southwesterly along a non-tangent curved line deflecting to the right an arc distance of 25.30 feet to a capped iron pin set at a point of reverse curve therein, said curved line having a radius of 129.00 feet and a chord which bears South  $39^{\circ}20'11''$  West, 25.26 feet;

Thence Southwesterly along a curved line deflecting to the left an arc distance of 103.11 feet to a capped iron pin set at a point of compound curve therein, said curved line having a radius of 294.00 feet and a chord which bears South  $34^{\circ}54'25''$  West, 102.58 feet;

Thence Southwesterly along a curved line deflecting to the left an arc distance of 71.17 feet to a capped iron pin set at a point of tangency therein, said curved line having a radius of 164.00 feet and a chord which bears South  $12^{\circ}25'40''$  West, 70.61 feet;

Thence South  $0^{\circ}00'15''$  East, a distance of 59.84 feet to a PK nail set at a point of curve therein;

Thence Southeasterly along a curved line deflection to the left an arc distance of 54.98 feet to a PK nail set at a point of tangency therein, said curved line having a radius of 35.00 feet and a chord which bears South  $45^{\circ}00'15''$  East, 49.50 feet;

Thence North  $89^{\circ}59'45''$  East, a distance of 435.21 feet to a PK nail set;

Thence North  $0^{\circ}00'15''$  West, a distance of 377.29 feet to a capped iron pin set;

Thence North  $44^{\circ}59'45''$  East, a distance of 87.79 feet to a capped iron pin set;

Thence North  $89^{\circ}59'45''$  East, a distance of 15.94 feet to a capped iron pin set;

Thence North  $0^{\circ}00'15''$  West, a distance of 289.00 feet to a point;

Thence North  $89^{\circ}17'30''$  West, a distance of 54.68 feet to a point in an Easterly line of land conveyed to Sears Roebuck & Co. by deed recorded in Volume 10999, Page 113, of Cuyahoga County Deed Records;

Thence North  $00^{\circ}42'30''$  East, along said Easterly line a distance of 108.00 feet to a drill hole found at an inner corner thereof;

Thence South  $89^{\circ}17'30''$  East, along a Southerly line of said Sears Roebucks & Co.'s land a distance of 604.39 feet to a capped iron pin set at the Southeasterly corner thereof;

Thence North  $0^{\circ}12'00''$  West, along the Easterly line of said Sears Roebucks & Co.'s land a distance of 670.00 feet to a 5/8 inch diameter iron pin found (observed 0.08 feet North and 0.02 feet East) at the Northeasterly corner thereof;

Thence North  $89^{\circ}17'30''$  West, along the Northerly line of said Sears Roebucks & Co.'s land a distance of 338.76 feet to a capped iron pin set at the Southeasterly corner of land conveyed to Faith United Church of Christ, by deed recorded in Volume 10987, Page 477, of the Cuyahoga County Deed Records;

Thence North  $0^{\circ}13'00''$  East, along the Easterly line of said Faith United Church of Christ's land a distance of 360.00 feet to a capped iron pin set in the Southerly line of land conveyed to Frederick G. & Helen M. Bigus, by deed recorded in Volume 91-7422, Page 37, of the Cuyahoga County Deed Records;

Thence South  $89^{\circ}17'30''$  East, along said Southerly line a distance of 648.66 feet to a capped iron pin set;

Thence South  $0^{\circ}12'00''$  East, a distance of 360.03 feet to a capped iron pin set at the Northeasterly corner of land conveyed to the C.E.I. Co. by deed recorded in Volume 11837, Page 557, of the Cuyahoga County Deed Records;

Thence North  $89^{\circ}17'30''$  West, along the Northerly line of said C.E.I. Co.'s land a distance of 80.00 feet to a capped iron pin set at the Northwesterly corner thereof;

Thence South  $0^{\circ}12'00''$  East, along the Westerly line of said C.E.I. Co.'s land a distance of 64.00 feet to a PK nail found (observed 0.03 feet North and 0.02 feet West) at the Southwesterly corner therein;

Thence South  $89^{\circ}17'30''$  East, along the Southerly line of said C.E.I. Co.'s land a distance of 80.00 feet to a 5/8 inch diameter iron pin found (observed 0.07 feet North and 0.03 feet West) at the Southeasterly corner thereof, in the Easterly line of land conveyed to DeBartolo Realty Partnership, by deed recorded in Volume 94-4132, Page 22, of Cuyahoga County Deed Records;

Thence South  $0^{\circ}12'00''$  East along said Easterly line, and passing through a 5/8 inch diameter pin found (observed 0.08 feet North and 0.09 feet East) at 1842.81 in the Northerly line of Wilson Mills Road, a distance of 1882.81 feet to the centerline of said Wilson Mills Road;

Thence North  $89^{\circ}42'30''$  West, along said centerline a distance of 1103.08 feet to the Southeasterly corner of land conveyed to Napoli Enterprises Ltd. Partnership by deed recorded in Volume 95-5626, Page 48, of the Cuyahoga County Deed Records;

Thence North  $0^{\circ}00'15''$  West, and passing through a 5/8 inch diameter iron pin found (observed 0.05 feet South and 0.09 feet East) at 40.00 feet in the Northerly line of Wilson Mills Road, along the Easterly line of said Napoli Enterprises Ltd. Partnership's land and continuing along the Easterly line of land conveyed to Rose Patronite, Tr. by deed recorded in Volume 91-8159, Page 41, of the Cuyahoga County Deed Records a distance of 369.92 feet to a capped iron pin set at the Northeasterly corner thereof;

Thence North  $89^{\circ}42'30''$  West, along the Northerly line of said Rose Patronite, Tr.'s land a distance of 399.81 feet to the principal place of beginning and containing 40.3070 acres of land as surveyed by Stephen Hovancsek & Associates Inc., Registered Surveyor No. 5160, State of Ohio, in April 1998. The basis of bearing for this description being the centerline of Richmond Road, established as North  $0^{\circ}00'15''$  West, and recorded in Volume 94-4132, Page 22, of the Cuyahoga County Deed Records, and are used to indicate angles only. All capped iron pins set are 5/8 inch diameter rebar, 30 inches long, with a plastic cap marked SH&A 5160.

Excepting therefrom the above, so much thereof conveyed to Dollar Bank, Federal Savings Bank by deed dated June 28, 2002, and recorded as AFN 200206281738 of Cuyahoga County Records, and being known as Parcel B in the Lot Split for Simon property Group, Richmond Town Square, as shown by the recorded plat in Volume 318 of Maps, Page 69, of Cuyahoga County Records.

Further excepting therefrom the above, so much thereof conveyed to IND Richmond Ltd. by deed dated October 20, 2003 and recorded October 31, 2003 as AFN 200310310414 of Cuyahoga County Records and further bounded and described as follows:

Commencing for Reference at a 1-inch rebar in a monument box found at the intersection of the centerline of Richmond Road (86 feet wide) as shown by the centerline survey recorded in Volume 195 of Maps, Page 10 of Cuyahoga County Records, and the centerline of Wilson Mills Road (variable width);

Thence, North  $00^{\circ}00'15''$  West along the centerline of Richmond Road, a distance of 369.92 feet to a southwesterly corner of said Richmond Town Square Mall, LLC parcel and the True Place of Beginning of the parcel herein to be described;

Course No. 1: thence, continuing North  $00^{\circ}00'15''$  West along the centerline of Richmond Road, a distance of 30.00 feet to a point;

Course No. 2: thence, South  $89^{\circ}42'30''$  East, passing over an iron pin set at 43.00 feet, a distance

of 399.81 feet to an iron pin set;

Course No. 3: thence, South 00°00'15" East, a distance of 30.00 feet to the northeasterly corner of a parcel of land, now or formerly in the name of Ultimate Wash of Solon: Featuring Touch Free Automatic, Inc. as recorded in AFN 200111301850 (a 5/8-inch iron pin was found 0.13 feet North and 0.12 feet West);

Course No. 4: thence, North 89°42'30" West, along the northerly line of said parcel, a distance of 399.81 feet to the place of beginning containing 0.2754 Acre of land, more or less.

Further excepting therefrom the above, so much thereof conveyed to Richmond Heights Town Square Owner LLC, A Delaware limited liability company by deed dated November 6, 2018 and recorded November 13, 2018 as AFN 201811130209 of Cuyahoga County Records and further bounded and described as follows:

Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio, being part of Original Euclid Township Lot 76, Tract 12, and being a part of a parcel conveyed to Richmond Town Square Realty Holding, LLC, in AFN 201611100643 (PN 662-27-008) and being more particularly described as follows:

Beginning at an iron pin set at the southeast corner of Parcel A, Marcus Woods Subdivision, as recorded in AFN 200603080602 of Cuyahoga County Records.

Course No. 1: Thence along an easterly line of said Parcel A, N 00°38'42" W, a distance of 360.26 feet; to a 5/8" rebar in concrete found on a southerly line of said Parcel A;

Course No. 2: Thence along a southerly line of said Parcel A, N 89°50'27" E, a distance of 378.84 feet to an iron pin set on a southerly line of said Parcel A;

Course No. 3: Thence along a new division line through said Richmond Town Square Realty Holding Parcel, S 00°57'54" E a distance of 360.23 feet to a mag nail set;

Course No. 4: Thence continuing along a new division line through said Richmond Town Square Realty Holding Parcel, S 89°49'59" W, a distance of 18.21 feet to a mag nail set;

Course No. 5: Thence continuing along a new division line through said Richmond Town Square Realty Holding Parcel, S 01°05'28" E, a distance of 670.06 feet to a mag nail set;

Course No. 6: Thence continuing along a new division line through said Richmond Town Square Realty Holding Parcel, S 89°49'59" W, a distance of 25.00 feet to a mag nail set at the southeast corner of a parcel conveyed to Sears Roebuck and Co., in Vol., 10999, page 113 of said County Records.

Course No. 7: Thence along the easterly line of said Sears parcel, N 01°05'28" W, a distance of 670.06 feet to a mag nail set at the northeast corner of said Sears Parcel;

Course No. 8: Thence along the northerly line of said Sears parcel, 8 89°49'59" W, a distance of 337.64 feet to the Point of Beginning and containing 3.526 acres of land, more or less, as surveyed by Alaina J. Krejci, P.S. #S-8625 in July 2018.

This Legal Description Complies with  
The Cuyahoga Transfer and  
Conveyance Standards and is approved  
for transfer.

AUG 02/2021



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Agent

PPN 662-30-122



**NEFF**  
& ASSOCIATES

Civil Engineers • Landscape Architects • Planners • Surveyors

**Legal Description**

Belle Oaks

Parcel "B-1"

May 7, 2020

File No. 14276-LD004

Sheet 1 of 3

Situated in City of Richmond Heights, County of Cuyahoga, State of Ohio and known as being all of Parcel "2" in the Lot Split & Consolidation Plat for Simon DeBartolo Group, and being part of Original Euclid Township Lot No. 76, Tract 5, as shown in recorded plat in Volume 294 of Maps, Page 16 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at a 1" iron pin monument found at the intersection of the center line of Wilson Mills Road (80 Feet Wide) and the center line of Richmond Road (Width Varies;

Thence North 00°52'00" West, along the center line of said Richmond Road, a distance of 771.80 feet to the principal place of beginning;

Course 1 Thence North 00°52'00" West, continuing along the center line of said Richmond Road, a distance of 380.76 feet to the Southwesterly corner of Parcel "A" as shown in Lot Split & Consolidation Plat recorded if A.F.N. 201812060683 of Cuyahoga County Records;

Course 2 Thence North 89°49'40" East, along the Southerly line of said Parcel "A", a distance of 157.41 feet to a 5/8" iron pin set and passing through a 5/8" iron pin set at 30.00 feet on the Easterly right of way for Richmond Road;

Course 3 Thence South 00°52'00" East, a distance of 267.51 feet to a 5/8" iron pin set;

Course 4 Thence North 89°10'37" East, a distance of 461.01 feet to a 5/8" iron pin set on the interior line of a parcel of land conveyed to Richmond Town Square Realty Holding, LLC by deed recorded in A.F.N. 201811130206 of Cuyahoga County Records;

Course 5 Thence South 44°05'14" West, along the interior line of said Richmond Town Square Realty Holding, LLC parcel, a distance of 87.37 feet to a MAG nail found at an angle point on said line;

Course 6 Thence South 00°54'50" East, continuing along the interior line of said Richmond Town Square Realty Holding, LLC parcel, a distance 377.29 feet to an interior corner of said parcel and witnessed by a MAG nail found South 64°11'49" West, a distance of 0.13 feet;



Legal Description  
Belle Oaks  
Parcel "B-1"  
May 7, 2020  
File No. 14276-LD004  
Sheet 2 of 3

Course 7 Thence South  $89^{\circ}06'47''$  West, along another interior line of said Richmond Town Square Realty Holding, LLC parcel, a distance of 434.95 feet to a point of curvature and witnessed by a Mag nail found South  $73^{\circ}25'38''$  West, a distance of 0.46 feet;

Course 8 Thence Northwesterly, along an interior line of said Richmond Town Square Realty Holding, LLC parcel, by the arc of a curve deflecting to the right, a distance of 54.98 feet to a 5/8" iron pin set at the point of tangency. Said arc having a radius of 35.00 feet, a central angle of  $90^{\circ}00'24''$  and a chord which bears North  $45^{\circ}54'36''$  West, a distance of 49.50 feet;

Course 9 Thence North  $00^{\circ}54'51''$  West, continuing along an interior line of said Richmond Heights Owner, LLC parcel, a distance 59.84 feet to a 5/8" iron pin set to a point of curvature;

Course 10 Thence Northeasterly, continuing along an interior line of said Richmond Heights Owner, LLC parcel, by the arc of a curve deflecting to the right, a distance of 71.17 feet to a 5/8" iron pin set at a point of compound curvature. Said arc having a radius of 164.00 feet, a central angle  $24^{\circ}51'48''$  and a chord which bears North  $11^{\circ}31'04''$  East, a distance of 70.61 feet;

Course 11 Thence Northeasterly, continuing along an interior line of said Richmond Heights Owner, LLC parcel, by the arc of a curve deflecting to the right, a distance of 103.11 feet to a 5/8" iron pin set at a point of reverse curvature. Said arc having a radius of 294.00 feet, a central angle  $20^{\circ}05'36''$  and a chord which bears North  $33^{\circ}59'49''$  East, a distance of 102.58 feet;

Course 12 Thence Northeasterly, continuing along an interior line of said Richmond Heights Owner, LLC parcel, by the arc of a curve deflecting to the left, a distance of 25.30 feet to a 5/8" iron pin set at a point of curvature of a non-tangent curve. Said arc having a radius of 129.00 feet, a central angle  $11^{\circ}14'14''$  and a chord which bears North  $38^{\circ}25'35''$  East, a distance of 25.26 feet;

Course 13 Thence Northwesterly, continuing along an interior line of said Richmond Heights Owner, LLC parcel, by the arc of a curve deflecting to the left, a distance of 171.16 feet to a 5/8" iron pin set at a point of tangency. Said arc having a radius of 229.50 feet, a central angle  $42^{\circ}43'51''$  and a chord which bears North  $69^{\circ}32'54''$  West, a distance of 167.22 feet and passing through a 5/8" iron pin set at 149.10 feet on the Easterly right of way for Richmond Road;

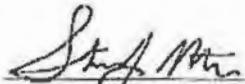


Legal Description  
Belle Oaks  
Parcel "B-1"  
May 7, 2020  
File No. 14276-LD004  
Sheet 3 of 3

Course 14 Thence South 89°05'09" West, a distance of 20.97 feet to the principal place of beginning and containing 5.7890 Acres (252,167 square feet) of land, of which 0.3758 Acres (16,368 square feet) is within the right of way of said Richrnoad Road, leaving a remainder parcel of 5.4132 Acres (238,799 square feet) as surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates.

Field work performed in September 6, 2019.

Be the same more or less, but subject to all legal highways and easements of record.

  
Steven J. Metcalf  
Registered Surveyor No. 8622-Ohio





**PPN 662-30-098**

Exhibit "A"

Parcel No. 1: Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio; and known as being part of Original Euclid Township Lot No. 76, bounded and described as follows: Beginning at the intersection of the centerline of Richmond Road, 60 feet wide, with the centerline of Wilson Mills Road, 80 feet wide;

Thence South 89 deg. 42' 30" East in said centerline of Wilson Mills Road, 300 feet to a point, and the principal place of beginning;

Thence continuing South 89 deg. 42' 30" East in the centerline of Wilson Mills Road, 100 feet to a point;

Thence North parallel with said centerline of Richmond Road, 333.00 feet to a point;

Thence North 89 deg. 42' 30" West, 100 feet parallel with said centerline of Wilson Mills Road to a point;

Thence South, parallel with the centerline of Richmond Road, 333.00 feet to the principal place of beginning and in said centerline of Wilson Mills Road, be the same more or less.

Parcel No. 2: Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio; and known as being a part of Original Euclid Township Lot No. 76, bounded and described as follows: Beginning at a point in the centerline of Wilson Mills Road, 80 feet wide, distant South 89 deg. 42' 30" East, 250.00 feet thereto from its point of intersection with the centerline of Richmond Road, 60 feet wide;

Thence North 333.00 feet parallel with said centerline of Richmond Road to a point;

Thence South 89 deg. 42' 30" East 50.00 feet parallel with said centerline of Wilson Mills Road to the Northwesterly corner of land conveyed by George M. Berg and C. Gladys Berg to Blodwen E. Fleurdelis and Mildred Quintino by deed dated April 28, 1949 and recorded in Volume 6687, Page 319 of Cuyahoga County Deed Records;

Thence South 333.00 feet along said Blodwen E. Fleurdelis and Mildred Quintino's Westerly line to a point in said centerline of Wilson Mills Road;

Thence North 89 deg. 42' 30" West 50.00 feet along said centerline of Wilson Mills Road, to the place of beginning, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2883, August 9, 1950, be the same more or less.

PPN: 662-30-098

This Legal Description Compiles with  
The Cuyahoga Township and  
Conveyance Standards and is approved  
by the Cuyahoga County Auditor

AUG 02 /2021



Agent

**PPN 662-30-105**

EXHIBIT "A"

Situated in the City of Richmond Heights, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 76, and bounded and described as follows:

Beginning at the intersection of the center line of Richmond Road, as widened, with the center line of Wilson Mills Road, 80 feet wide;

Thence Northerly along the center line of Richmond Road, 200 feet to the Southwesterly corner of land conveyed to George M. Berg and C. Gladys Berg, by deed recorded in Volume 8443, Page 334 of Cuyahoga County Records;

Thence Easterly along the Southerly line of land so conveyed to George M. and C. Gladys Berg, 200 feet to the Northwesterly corner of land conveyed to Joseph Arnovitz and Rose Arnovitz by deed recorded in Volume 8408, Page 666 of Cuyahoga County Records;

Thence Southerly along the Westerly line of land so conveyed to Joseph and Rose Arnovitz 200 feet to the center line of Wilson Mills Road;

Thence Westerly along the center line of Wilson Mills Road, 200 feet to the place of beginning, be the same more or less, but subject to all legal highways, excepting therefrom that part thereof conveyed to the County of Cuyahoga for the widening of Richmond Road by deed dated February 18, 1959, and recorded in Volume 9492, Page 149 of Cuyahoga County Records.

