

ORDINANCE NO. 99-25

**AN ORDINANCE TO ACCEPT DEDICATION OF LAND TO BE USED AS
ADDITIONAL RIGHT-OF-WAY ALONG THE WEST SIDE OF WILLIAMS COURT
IMMEDIATELY IN FRONT OF 3650 WILLIAMS COURT
AND DECLARING AN EMERGENCY**

WHEREAS, Donald W. Scarbro and Hazel L. Scarbro, husband and wife, owned the land at 3650 Williams Court back in 1971; and

WHEREAS, it was their desire to convey approximately .07 acres (30 x 100 feet) of land to the city to widen the Williams Court right of way; and

WHEREAS, on August 2nd, 1971, the Scarbros executed a deed conveying said property to the city; and

WHEREAS, on April 19th, 1974, the city recorded the deed; and

WHEREAS, by accepting the deed and then recording same, the city accepted the conveyance of the land but failed to dedicate it to public use as additional right of way; and

WHEREAS, the parcel now sits in front of 3650 Williams Ct. and landlocks said parcel with no access to Williams Court; and

WHEREAS, it was never the intention of the city to own this parcel of land for any other purpose but to use it as additional right of way in the event Williams Ct. needed to be widened; and

WHEREAS, the current owner (Scarbro Estate) cannot pass title to their land out of the estate until the city dedicates its parcel to public use; and

WHEREAS, Council, having considered the comments of the Administration, finds dedication of the parcel to public use as additional Williams Court right of way to be in the best interests of the health, safety, and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That the parcel of land owned by the City of Avon, identified as Permanent Parcel No. 04-00-026-109-052, and consisting of approximately .07 acres (approximately 30' x 100') situated directly in front of and to the east of 3650 Williams Court and currently landlocks said parcel, is hereby dedicated to public use and shall hereafter and forever be considered part of the Williams Court right of way. The legal description of said parcel contained within the deed of conveyance attached hereto, is incorporated herein by this reference as Exhibit A.

Section 2 – That it is 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 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 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept dedication of the above described plat for additional right-of-way along the west side of Williams Court; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 10, 2025

DATE SIGNED November 10, 2025

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: November 11, 2025

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

Posted: November 12, 2025
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 99-25, passed by the Council of said City on November 10, 2025.

IN WITNESS WHEREOF, I have on this 11th day of November 2025, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

853512

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WARRANTY DEED (144-B)

Certified Copy of a Deed
Cleveland 18, Ohio**Know all Men by these Presents**

That, we, Donald Wesley Scarbro and Hazel L. Scarbro, husband and wife
 , the Grantors,
 who claim title by or through instrument, recorded in Volume 984, Page 212, County
 Recorder's Office, for the consideration of -----
 ----- TEN ----- Dollars (\$ 10.00)
 received to our full satisfaction of
 "City of Avon"

whose TAX MAILING ADDRESS will be City Hall, Avon, Ohio 44011
 do

Give, Grant, Bargain, Sell and Convey unto the said Grantee, its successors
 heirs and assigns, the following described premises, situated in the City of
 Avon, County of Lorain and State of Ohio:

and being part of Original Avon Township Section No. 26 and bounded and
 described as follows:

Beginning at a point in the center line of Williams Road distant South
 0° 02' 00" West 1,611.70 feet from its intersection with the center line
 of Schwartz Road;

Thence, continuing South 0° 02' 00" West along said center line of Williams
 Road 100.00 feet;

Thence, due West 30.00 feet;

Thence, North 0° 02' 00" East 100.00 feet;

Thence, due East 30.00 feet to the place of beginning. Enclosing a parcel
 of land, being a portion of a legal highway of the City of Avon.

It is the intention of this deed to convey approximately .07 acres of land.

APPROVED
PLANNING COMMISSION

APR 13, 1974

[Signature]
 Mayor

TRANSFERRED

IN COMPLIANCE WITH SEC. 319.202
OHIO REV. CODE

APR 19 1974

JULIAN A. PIOR
 LORAIN COUNTY AUDITOR

be the same more or less, but subject to all legal highways.

On Give and to Hold the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors and assigns forever.

And we, Donald Wesley Scarbro and Hazel L. Scarbro the said Grantors, do for ourselves and our heirs, executors and administrators, covenant with the said Grantee, its successors heirs and assigns, that at and until the enrolling of these presents, we are well seised of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatesoever except taxes and assessments, general and special, for the year 1970 and thereafter; conditions, restrictions, limitations and easements of record; and zoning ordinances, if any,

and that we will Warrant and Defend said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors heirs and assigns, against all lawful claims and demands whatsoever except as above.

And for valuable consideration I, Donald Wesley Scarbro, husband of Hazel L. Scarbro and I, Hazel L. Scarbro, wife of Donald Wesley Scarbro, do hereby remise, release and forever quit-claim unto the said Grantee, its successors heirs and assigns, all our right and expectancy of Power in the above described premises.

In Witness Whereof we have hereunto set our hands, the 2nd day of AUGUST, in the year of our Lord one thousand nine hundred and seventy-one

Signed and acknowledged in the presence of

Quinn O. Cory
Barbara A. Cory

Donald W. Scarbro
Hazel L. Scarbro

State of Ohio } ss. Before me, a Notary Public, in and for said County and State, personally appeared the above named:

Donald Wesley Scarbro and Hazel L. Scarbro who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Avon, Ohio, this 2nd day of AUGUST, A. D. 1971

This instrument prepared by
JENSON, MACKIN & NAGY, Attys.
Avon Lake, Ohio

Quinn O. Cory
OWEN O. CORY, Notary Public
My Commission Expires Mar. 21, 1972

INDEXED 853512 INDEXED

Marriage Book

DONALD WESLEY SCARBRO and HAZEL L. SCARBRO

TO
CITY OF AVON

Transferred 19

COUNTY AUDITOR

State of Ohio
County of LORAIN

Received for Record on the
day of APRIL 1974, 19

at 8:57 o'clock PM
and Recorded APR 19 1974

Deed Book 1100 Page 483
DOROTHY L. ESSEX
LORAIN COUNTY RECORDER

Recorder's Fees \$ 3.03

Mad: City of Avon
3674 Stevens Road
Avon, Ohio 44011 M.D.B.

MICRO FILM ROLL NO. 1220