



City of Lakewood
City Council

Council At Large
Sarah Kepple, President
Thomas R. Bullock III
Angelina Hamilton Steiner

Ward Council
Kyle Baker, Ward 1, Vice President
Bryan Evans, Ward 2
Cindy Strebbig, Ward 3
Cindy Marx, Ward 4

Noticed 10/08/25

PUBLIC NOTICE – PUBLIC WORKS & SUSTAINABILITY COMMITTEE

Public Works & Sustainability Committee will meet Monday October 13, 2025 at 5:45 p.m. in the Auditorium of Lakewood City Hall at 12650 Detroit Avenue. The meeting is open to the public.

The meeting will be livestreamed on the City's website at the following link:

www.lakewoodoh.gov/councilvideos

PUBLIC COMMENT PROTOCOL (Updated 4/2025)

The public is invited to comment on agenda items by submitting a written comment in advance of the meeting using the eComment platform available [HERE](#). New users must create an eComment account. Committee Chairs may also accommodate in person public comment.

The agenda is as follows:

Approval of the minutes from the June 9, 2025 Public Works & Sustainability Committee meeting

Communication from Councilmember Bullock regarding continued enhancement of public input for Active Transportation Plan and other infrastructure projects. (*referred to PWS 09/15/25*)

RESOLUTION 2025-48 - A RESOLUTION to continue enhancing public input for Active Transportation Plan and other infrastructure projects. (*referred to PWS 09/15/25*)

Communication from Law Director Vargo regarding Submerged Lands Leases. (*referred to Finance 10/6/2025*)

RESOLUTION 2025-55 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1025 Nicholson Avenue, Lakewood, Ohio PPN 312-08-002 and 312-08-003 (legal descriptions of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure. (*referred to Finance 10/6/2025*)

RESOLUTION 2025-56 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1031 Nicholson Avenue, Lakewood, Ohio PPN 312-08-004 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure. (*referred to Finance 10/6/2025*)

RESOLUTION 2025-57 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1040 Erie Cliff Drive, Lakewood, Ohio PPN 311-12-074 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure. *(referred to Finance 10/6/2025)*

RESOLUTION 2025-58 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1041 Forest Cliff Drive, Lakewood, Ohio PPN 311-13-072 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure. *(referred to Finance 10/6/2025)*

RESOLUTION 2025-59 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1039 Forest Cliff Drive, Lakewood, Ohio PPN 311-13-074 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure. *(referred to Finance 10/6/2025)*

Bryan Evans, Chair
Tom Bullock, Angelina Hamilton Steiner; Members
PUBLIC WORKS & SUSTAINABILITY COMMITTEE

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 michelle.nochta@lakewoodoh.net.



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Cindy Marx, Ward 4

September 15, 2025

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: continued enhancement of public input for Active Transportation Plan and other infrastructure projects.

Dear Mayor and Members of Council:

Please consider the attached resolution to continue enhancing consideration of public input as part of City infrastructure projects, including Active Transportation Plan Projects such as the Bunts Road Rehabilitation Project.

City Council has heard a significant amount of public input from residents affected by the Bunts Road Rehabilitation Project, yet the input we have received at Council meetings has fallen outside of the formal public input process that informs the development of project plans for at least two reasons: first, the timing of the input came after a date the City set as a cut-off point for public input; or, the input is before the wrong body (i.e. City Council rather than a Department, Board, or Commission).

To the degree that public input is not being incorporated into our plan development, this is unsatisfactory—to the residents, and, I argue, to City Council.

Many residents affected by the Bunts Road Rehabilitation Project have worked to communicate features of the plan they would like to change to mitigate their concerns about potential negative impacts on safety, neighborhood character, and other considerations. They have made certain requests and would like to propose alternatives. Under our current process, the City's work to consider their input appears to be incomplete.

The proposed resolution seeks to enhance City Council's role so that we continue improving our consideration of public input on this and similar infrastructure projects.

Please join me in supporting these important concerns by considering this resolution for adoption tonight or by referring it to a committee of Council's choosing.

Sincerely,

Tom Bullock
Councilmember At-Large

A RESOLUTION to continue enhancing public input for Active Transportation Plan and other infrastructure projects.

WHEREAS, public input from residents, especially those directly affected by infrastructure projects, is important; and

WHEREAS, the City of Lakewood is committed to continuous improvement in its work on all matters, including on infrastructure projects; and

WHEREAS, public input on the Bunts Road Rehabilitation Project is significant in scope and City Hall has continued to receive it throughout the Project development process, with a notable continuation of public input even after City-convened informational meetings early in the process; and

WHEREAS, Council desires to continue enhancing consideration of public input as part of City infrastructure projects; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That this Council does hereby express support for continued enhancement of Lakewood City Hall's public input process for Active Transportation Plan projects, including for the Bunts Road Rehabilitation Project, and other infrastructure projects.

Section 2. That this Council adopts as its policy that it shall convene public input hearings for Active Transportation Plan projects, including for the Bunts Road Rehabilitation Project, to supplement the work done by other Departments, Offices, Boards and Commissions to gather public input and may, upon a majority vote of Council, recommend that additional measures be taken by other Departments, Offices, Boards and Commissions to continue enhancing their work to gather public input and to incorporate it into their plan development efforts.

Section 3. That this Council reserves the right on all City infrastructure projects, including Active Transportation Plan projects such as the Bunts Road Rehabilitation Project, to take further action, including but not limited to: adopting policies that direct leaders from City Departments and Offices to further enhance their efforts to meet with residents affected by such projects; and making formal commitments by the City to enhance such projects through changes or additional features responsive to public input.

Section 4. 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 such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor



City of Lakewood
Department Of Law

Ernest E. Vargo, Director
**Jennifer L. Swallow, Chief Assistant
Director**
**Jeffrey Crossman, First Assistant
Director**

(216) 529-6030 | law@lakewoodoh.gov

October 6, 2025

Lakewood City Council
Lakewood, Ohio

Re: Submerged Lands Leases

Dear President Kepple and Members of Council,

Attached for your consideration are five resolutions which are required by the Ohio Department of Natural Resources in the permitting process for lakefront property owners to obtain a submerged lands lease. In this instance, the property owners are seeking the lease in order to construct coastal erosion control measures. The resolutions are for the following properties:

1025 Nicholson Avenue
1031 Nicholson Avenue
1040 Erie Cliff Drive
1041 Forest Cliff Drive
1039 Forest Cliff Drive

This matter was referred to the Division of Engineering for review. The City Engineer has found no encroachments on any interests of the City of Lakewood and has approved the submittals. Thank you.

Respectfully,

Ernest Vargo

RESOLUTION NO. 2025-55

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1025 Nicholson Avenue, Lakewood, Ohio PPN 312-08-002 and 312-08-003 (legal descriptions of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure.

WHEREAS, the property owners need to construct the proposed shore structure in Lake Erie at Lakewood, Cuyahoga County, Ohio; and

WHEREAS, as part of the application to lease submerged lands, the parties involved must submit to the Ohio Department of Natural Resources a resolution from Lakewood City Council approving the proposed use of the submerged land; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that this submerged lands lease is necessary for the improvements to be made; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood finds and determines that territory being proposed for the proposed shore structure, which is further described in the application for a submerged lands lease, is not necessary or required for the construction, maintenance or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting waterways, water terminals, facilities and improvements, and marginal highways in the aid of navigation and water commerce, and the land uses specified in the application comply with regulation of permissible land use as determined by the city.

Section 2. The Clerk of Council is hereby authorized and directed to certify a copy of this resolution to the Ohio Department of Natural Resources.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor

EXHIBIT A

R. M. KOLE & ASSOC. CORP.
5316 RIDGE ROAD • PARMA, OHIO 44129
PHONE (440) 885-7137 • FAX (440) 885-7139
www.kolesurvey.com

LEGAL DESCRIPTION – Submerged Land Lease Parcel 1 (Erosion Control) = 0.0344 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Micki Tubbs and recorded by AFN 201906190199 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Tubbs; thence South 89°19'55" East along the northerly line of said land so conveyed to Tubbs, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 193.00 feet, a total distance of 244.41 feet to its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northeast corner of said land so conveyed to Tubbs; thence North 45°05'30" West across the open waters of Lake Erie and along the Littoral Boundary between said upland land conveyed to Tubbs and the upland land conveyed to Tiffany L. Yuhasz Doll aka Tiffany Yuhasz in deed recorded July 18, 2022 and recorded by AFN 202207180497 of CCDR, established by the proportional method, 23.27 feet to the **Principal Place of Beginning**;

1. thence continuing North 45°05'30" East across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Tubbs and the upland land conveyed to Yuhasz, 11.08 feet;
2. thence South 47°59'32" East across the open waters of Lake Erie, 45.22 feet;
3. thence South 11°09'07" West across the open waters of Lake Erie, 20.00 feet;
4. thence South 15°18'54" West across the open waters of Lake Erie, 14.20 feet;
5. thence South 67°56'41" East across the open waters of Lake Erie, 10.04 feet;
6. thence South 21°56'52" West across the open waters of Lake Erie, 5.41 feet to a point of tangent curvature;
7. thence southwesterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 2.46 feet, said arc having a radius of 1.50 feet, a central angle of 93°50'41", and a chord which bears South 68°52'13" West, 2.19 feet to a point of tangency;
8. thence North 64°12'27" West across the open waters of Lake Erie, 10.79 feet to a point of tangent curvature;
9. thence northwesterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 5.48 feet, said arc having a radius of 12.34 feet, a central angle of 25°25'21", and a chord which bears North 51°29'31" West, 5.43 feet to a point of tangency;
10. thence North 38°46'36" West across the open waters of Lake Erie, 7.55 feet;
11. thence North 37°49'18" West across the open waters of Lake Erie, 8.86 feet to a point of tangent curvature;
12. thence northwesterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 9.70 feet, said arc having a radius of 59.93 feet, a central angle of 9°16'33", and a chord which bears North 33°11'01" West, 9.69 feet to a point of compound curvature;
13. thence northwesterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 13.99 feet, said arc having a radius of 133.48 feet, a central angle of 6°00'24", and a chord which bears North 25°32'33" West, 13.99 feet;
14. thence North 24°52'12" East across the open waters of Lake Erie, 2.70 feet;
15. thence North 64°52'46" East across the open waters of Lake Erie, 11.28 feet;

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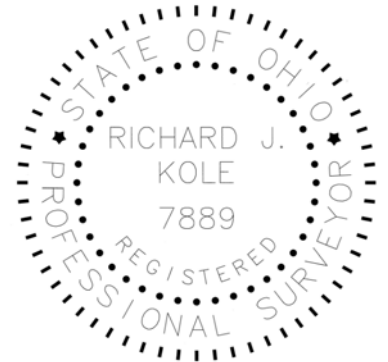
16. thence North 42°20'41" West across the open waters of Lake Erie, 22.20 feet to the **Principal Place of Beginning** and containing 1,499 square feet (0.0344 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



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LEGAL DESCRIPTION – Submerged Land Lease Parcel 2 (Lake Access) = 0.0375 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Micki Tubbs and recorded by AFN 201906190199 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Tubbs; thence South 89°19'55" East along the northerly line of said land so conveyed to Tubbs, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 193.00 feet, a total distance of 244.41 feet to its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northeast corner of said land so conveyed to Tubbs, and the **Principal Place of Beginning**;

1. thence North 45°05'30" East across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Tubbs and the upland land conveyed to Yuhasz, 23.27 feet;
2. thence South 42°20'41" East across the open waters of Lake Erie, 22.20 feet;
3. thence South 64°52'46" West across the open waters of Lake Erie, 11.28 feet;
4. thence South 24°52'12" West across the open waters of Lake Erie, 2.70 feet to a point of non-tangent curvature;
5. thence southeasterly across the open waters of Lake Erie by a curve to the left, an arc distance of 13.99 feet, said arc having a radius of 133.48 feet, a central angle of 6°00'24", and a chord which bears South 25°32'33" East, 13.99 feet to a point of compound curvature;
6. thence southeasterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 9.70 feet, said arc having a radius of 59.93 feet, a central angle of 9°16'33", and a chord which bears South 33°11'01" East, 9.69 feet to a point of tangency;
7. thence South 37°49'18" East across the open waters of Lake Erie, 8.86 feet;
8. thence South 38°46'36" East across the open waters of Lake Erie, 7.55 feet to a point of tangent curvature;
9. thence southeasterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 5.48 feet, said arc having a radius of 12.34 feet, a central angle of 25°25'51", and a chord which bears South 51°29'31" East, 5.43 feet to a point of tangency;
10. thence South 64°12'27" East across the open waters of Lake Erie, 10.79 feet to a point of tangent curvature;
11. thence northeasterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 2.46 feet, said arc having a radius of 1.50 feet, a central angle of 93°50'41", and a chord which bears North 68°52'13" East, 2.19 feet to a point of tangency;
12. thence North 21°56'52" East across the open waters of Lake Erie, 26.29 feet;
13. thence South 65°43'19" East across the open waters of Lake Erie, 7.44 feet;
14. thence South 11°12'48" West across the open waters of Lake Erie, 13.29 feet;
15. thence South 21°43'31" West across the open waters of Lake Erie, 19.69 feet to a point of tangent curvature;
16. thence southwesterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 4.85 feet, said arc having a radius of 3.00 feet, a central angle of 92°39'31", and a chord which bears South 68°03'16" West, 4.34 feet to a point of tangency;

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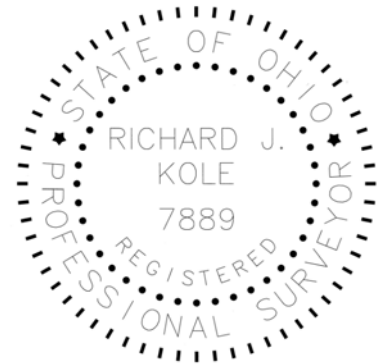
17. thence North 65°36'58" West across the open waters of Lake Erie, 8.85 feet;
18. thence North 64°05'55" West across the open waters of Lake Erie, 18.23 feet to a point of tangent curvature;
19. thence northwesterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 3.39 feet, said arc having a radius of 5.85 feet, a central angle of 33°13'44", and a chord which bears North 80°42'47" West, 3.34 feet to a point of compound curvature;
20. thence southwesterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 6.58 feet, said arc having a radius of 6.90 feet, a central angle of 54°36'47", and a chord which bears South 55°21'58" West, 6.33 feet to a point on the said Natural Shoreline;
21. thence North 31°18'16" West along the said Natural Shoreline, 31.24 feet;
22. thence North 24°23'25" West, continuing along the said Natural Shoreline, 26.89 feet to the **Principal Place of Beginning** and containing 1,635 square feet (0.0375 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



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LEGAL DESCRIPTION – Submerged Land Lease Parcel 3 (Existing Fill) = 0.0273 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Micki Tubbs and recorded by AFN 201906190199 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the southwest corner of said land so conveyed to Tubbs; thence South 89°19'55" East along the southerly line of said land so conveyed to Tubbs, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 245.33 feet, a total distance of 304.21 feet to a Mag Nail found its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the southeast corner of said land so conveyed to Tubbs, and the **Principal Place of Beginning**;

1. thence North 43°35'41" West along the said Natural Shoreline, 4.46 feet to a Mag Nail found;
2. thence North 39°53'43" West, continuing along the said Natural Shoreline, 21.23 feet to a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914);
3. thence North 20°40'26" West, continuing along the said Natural Shoreline, 31.24 feet;
4. thence North 31°18'16" West, continuing along the said Natural Shoreline, 6.74 feet to a point of non-tangent curvature;
5. thence northeasterly across the open waters of Lake Erie by a curve to the right, an arc distance of 6.58 feet, said arc having a radius of 6.90 feet, a central angle of 54°36'47", and a chord which bears North 55°21'58" East, 6.33 feet to a point of compound curvature;
6. thence southeasterly across the open waters of Lake Erie by a tangent curve to the right, an arc distance of 3.39 feet, said arc having a radius of 5.85 feet, a central angle of 33°13'44", and a chord which bears South 80°42'47" East, 3.34 feet to a point of tangency;
7. thence South 64°05'55" East across the open waters of Lake Erie, 18.23 feet;
8. thence South 65°36'58" East across the open waters of Lake Erie, 8.85 feet to a point of tangent curvature;
9. thence northeasterly across the open waters of Lake Erie by a tangent curve to the left, an arc distance of 4.85 feet, said arc having a radius of 3.00 feet, a central angle of 92°39'31", and a chord which bears North 68°03'16" East, 4.34 feet to a point of tangency;
10. thence North 21°43'31" East across the open waters of Lake Erie, 6.47 feet;
11. thence South 64°06'59" East across the open waters of Lake Erie, 2.49 feet to a point on the Littoral Boundary between said upland land conveyed to Tubbs and the upland land conveyed to Christine Lewis, Trustee of the Christine Lewis Revocable Declaration of Trust Dated June 30, 2016 (Lewis) in deed recorded February 14, 2020 and recorded by AFN 202002140593 of CCDR, established by the proportional method;

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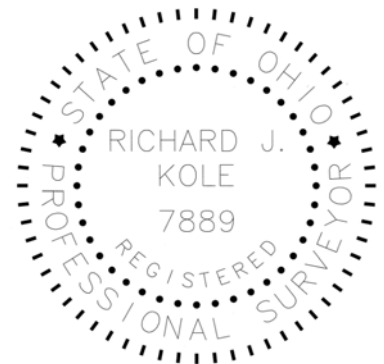
12. thence South 11°12'48" West, across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Tubbs and the upland land conveyed to Lewis, 53.52 feet to the **Principal Place of Beginning** and containing 1,187 square feet (0.0273 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



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LEGAL DESCRIPTION – Submerged Land Lease Parcel 4 (Erosion Control) = 0.0004 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Micki Tubbs and recorded by AFN 201906190199 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the southwest corner of said land so conveyed to Tubbs; thence South 89°19'55" East along the southerly line of said land so conveyed to Tubbs, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 245.33 feet, a total distance of 304.21 feet to its intersection with the Natural Shoreline per 1968 historical aerial photo; thence North 11°12'48" East across the open waters of Lake Erie and along the Littoral Boundary between said upland land conveyed to Tubbs and the upland land conveyed to Christine Lewis, Trustee of the Christine Lewis Revocable Declaration of Trust Dated June 30, 2016 (Lewis) in deed recorded February 14, 2020 and recorded by AFN 202002140593 of CCDR, established by the proportional method, 53.52 feet to the **Principal Place of Beginning**;

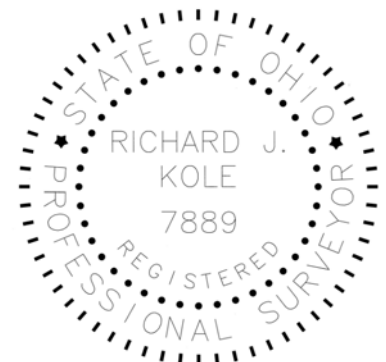
1. thence North 64°06'59" West across the open waters of Lake Erie, 2.49 feet;
2. thence North 21°43'31" East across the open waters of Lake Erie, 13.22 feet to a point on the said Littoral Boundary between the upland land conveyed to Tubbs and the upland land conveyed to Lewis;
3. thence South 11°12'48" West across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Tubbs and the upland land conveyed to Lewis, 13.63 feet to the **Principal Place of Beginning** and containing 16 square feet (0.0004 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



R. M. KOLE & ASSOC. CORP.
5316 RIDGE ROAD • PARMA, OHIO 44129
PHONE (440) 885-7137 • FAX (440) 885-7139
www.kolesurvey.com

LEGAL DESCRIPTION – Submerged Land Lease Parcel 5 (Crib Pier) = 0.0130 Acres


Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Micki Tubbs and recorded by AFN 201906190199 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Tubbs; thence South 89°19'55" East along the northerly line of said land so conveyed to Tubbs, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 193.00 feet, a total distance of 244.41 feet to its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northeast corner of said land so conveyed to Tubbs; thence North 45°05'30" West across the open waters of Lake Erie and along the Littoral Boundary between said upland land conveyed to Tubbs and the upland land conveyed to Tiffany L. Yuhasz Doll aka Tiffany Yuhasz in deed recorded July 18, 2022 and recorded by AFN 202207180497 of CCDR, established by the proportional method, 34.35 feet; thence South 47°59'32" East across the open waters of Lake Erie, 45.22 feet; thence North 11°12'48" East across the open waters of Lake Erie, 20.00 feet to the **Principal Place of Beginning**;

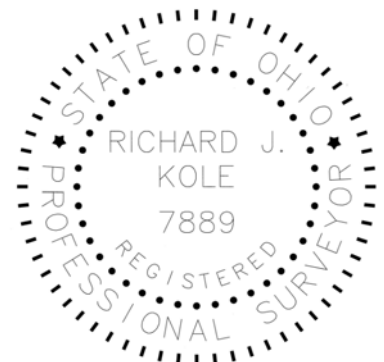
1. thence South 78°47'12" East across the open waters of Lake Erie, 10.00 feet;
2. thence South 11°11'37" West across the open waters of Lake Erie, 40.01 feet;
3. thence South 78°49'11" East across the open waters of Lake Erie, 1.89 feet;
4. thence South 21°56'52" West across the open waters of Lake Erie, 16.33 feet;
5. thence North 67°56'41" West across the open waters of Lake Erie, 10.04 feet;
6. thence North 15°18'54" East across the open waters of Lake Erie, 14.20 feet;
7. thence North 11°10'57" East across the open waters of Lake Erie, 40.00 feet to the **Principal Place of Beginning** and containing 566 square feet (0.0130 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



RESOLUTION NO. 2025-56

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1031 Nicholson Avenue, Lakewood, Ohio PPN 312-08-004 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure.

WHEREAS, the property owners need to construct the proposed shore structure in Lake Erie at Lakewood, Cuyahoga County, Ohio; and

WHEREAS, as part of the application to lease submerged lands, the parties involved must submit to the Ohio Department of Natural Resources a resolution from Lakewood City Council approving the proposed use of the submerged land; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that this submerged lands lease is necessary for the improvements to be made; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood finds and determines that territory being proposed for the proposed shore structure, which is further described in the application for a submerged lands lease, is not necessary or required for the construction, maintenance or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting waterways, water terminals, facilities and improvements, and marginal highways in the aid of navigation and water commerce, and the land uses specified in the application comply with regulation of permissible land use as determined by the city.

Section 2. The Clerk of Council is hereby authorized and directed to certify a copy of this resolution to the Ohio Department of Natural Resources.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor

EXHIBIT A

R. M. KOLE & ASSOC. CORP.
5316 RIDGE ROAD • PARMA, OHIO 44129
PHONE (440) 885-7137 • FAX (440) 885-7139
www.kolesurvey.com

LEGAL DESCRIPTION – Submerged Land Lease Parcel 1 (Erosion Control) = 0.0200 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Linda H. Springer and recorded by AFN 201310110714 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Springer; thence South 89°19'55" East along the northerly line of said land so conveyed to Springer, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 245.33 feet, a total distance of 304.21 feet to a Mag Nail found its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northeast corner of said land so conveyed to Springer; thence North 11°12'48" East across the open waters of Lake Erie and along the Littoral Boundary between said upland land conveyed to Springer and the upland land conveyed to Micki Tubbs in deed recorded June 19, 2019 and recorded by AFN 201906190199 of CCDR, established by the proportional method, 53.52 feet to the **Principal Place of Beginning**;

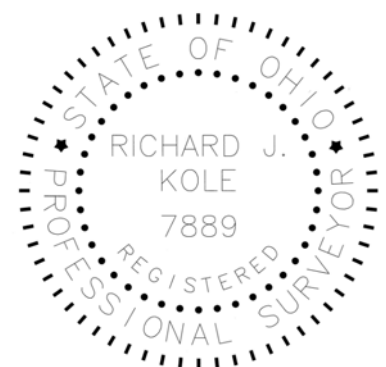
1. thence continuing North 11°12'48" East across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Springer and the upland land conveyed to Tubbs, and across the open waters of Lake Erie, 13.63 feet;
2. thence North 21°43'31" East across the open waters of Lake Erie, 12.97 feet;
3. thence South 68°28'47" East across the open waters of Lake Erie, 33.19 feet to a point on the Littoral Boundary between said upland land conveyed to Springer and the upland land conveyed to Christopher J. Gonda in deed recorded February 11, 2005 and recorded by AFN 200502110559 of CCDR, established by the proportional method;
4. thence South 10°57'59" West along the said Littoral Boundary between the upland land conveyed to Springer and the upland land conveyed to Gonda, and across the open waters of Lake Erie, 25.62 feet;
5. thence North 57°38'27" West across the open waters of Lake Erie, 13.84 feet;
6. thence North 86°12'31" West across the open waters of Lake Erie, 14.50 feet;
7. thence North 64°06'59" West across the open waters of Lake Erie, 8.11 feet to the **Principal Place of Beginning** and containing 871 square feet (0.0200 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



R. M. KOLE & ASSOC. CORP.
5316 RIDGE ROAD • PARMA, OHIO 44129
PHONE (440) 885-7137 • FAX (440) 885-7139
www.kolesurvey.com

LEGAL DESCRIPTION – Submerged Land Lease Parcel 2 (Lake Access) = 0.0004 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Linda H. Springer and recorded by AFN 201310110714 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Springer; thence South 89°19'55" East along the northerly line of said land so conveyed to Springer, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 245.33 feet, a total distance of 304.21 feet to a Mag Nail found its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northeast corner of said land so conveyed to Springer; thence North 11°12'48" East across the open waters of Lake Erie and along the Littoral Boundary between said upland land conveyed to Springer and the upland land conveyed to Micki Tubbs in deed recorded June 19, 2019 and recorded by AFN 201906190199 of CCDR, established by the proportional method, 67.15 feet to the **Principal Place of Beginning**;

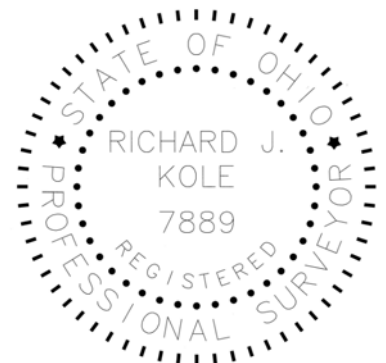
1. thence continuing North 11°12'48" East across the open waters of Lake Erie and along the said Littoral Boundary between the upland land conveyed to Springer and the upland land conveyed to Tubbs, and across the open waters of Lake Erie, 13.29 feet;
2. thence South 66°05'48" East across the open waters of Lake Erie, 2.43 feet;
3. thence South 21°43'31" West across the open waters of Lake Erie, 12.97 feet to the **Principal Place of Beginning** and containing 16 square feet (0.0004 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



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PHONE (440) 885-7137 • FAX (440) 885-7139
www.kolesurvey.com

LEGAL DESCRIPTION – Submerged Land Lease Parcel 3 (Existing Fill) = 0.0548 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township Section No. 21 (Township 7 North, Range 14 West in the Connecticut Western Reserve), conveyed to Linda H. Springer and recorded by AFN 201310110714 of Cuyahoga County Deed Records (CCDR), and described as follows:

Starting at a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) in the easterly line of Nicholson Avenue, 60.00 feet wide, at the northwest corner of said land so conveyed to Springer; thence South 89°19'55" East along the northerly line of said land so conveyed to Springer, passing over a 5/8" iron pin found (cap ID C. Dempsey P.S. 6914) at 245.33 feet, a total distance of 304.21 feet to a Mag Nail found its intersection with the Natural Shoreline per 1968 historical aerial photo, said point also being the northwest corner of said land so conveyed to Springer and the **Principal Place of Beginning**;

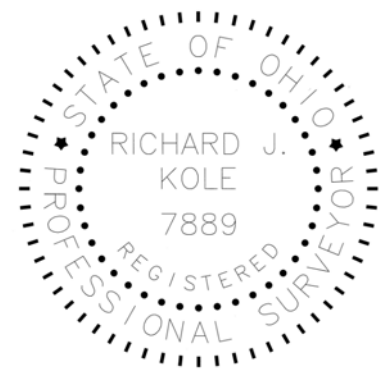
1. thence North 11°12'48" East along the Littoral Boundary between said upland land conveyed to Springer and the upland land conveyed to Micki Tubbs in deed recorded June 19, 2019 and recorded by AFN 201906190199 of CCDR, established by the proportional method, and across the open waters of Lake Erie, 53.52 feet;
2. thence South 64°06'59" East across the open waters of Lake Erie, 8.11 feet;
3. thence South 86°12'31" East across the open waters of Lake Erie, 14.50 feet;
4. thence South 57°38'27" East across the open waters of Lake Erie, 13.84 feet to a point on the Littoral Boundary between said upland land conveyed to Springer and the upland land conveyed to Christopher J. Gonda in deed recorded February 11, 2005 and recorded by AFN 200502110559 of CCDR, established by the proportional method;
5. thence South 10°57'59" West along the said Littoral Boundary between the upland land conveyed to Springer and the said upland land conveyed to Gonda, and across the open waters of Lake Erie, 88.57 feet to an easterly corner of said land so conveyed to Springer, said point also being on the said Natural Shoreline;
6. thence North 04°03'07" West along the said Natural Shoreline and an easterly line of said land so conveyed to Springer, 7.82 feet to a Mag Nail found at an angle point therein;
7. thence North 23°17'43" West, continuing along the said Natural Shoreline and a northeasterly line of said land so conveyed to Springer, 4.07 feet to a Mag Nail found at an angle point therein;
8. thence North 31°56'34" West, continuing along the said Natural Shoreline and a northeasterly line of said land so conveyed to Springer, 29.78 feet to a Mag Nail found at an angle point therein;
9. thence North 43°35'41" West, continuing along the said Natural Shoreline and a northeasterly line of said land so conveyed to Springer, 13.19 feet to the **Principal Place of Beginning** and containing 2,387 square feet (0.0548 acres) of land as described on May 13, 2025 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.



Richard J. Kole – 5/13/2025
Registered Surveyor No. 7889



RESOLUTION NO. 2025-57

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1040 Erie Cliff Drive, Lakewood, Ohio PPN 311-12-074 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure.

WHEREAS, the property owners need to construct the proposed shore structure in Lake Erie at Lakewood, Cuyahoga County, Ohio; and

WHEREAS, as part of the application to lease submerged lands, the parties involved must submit to the Ohio Department of Natural Resources a resolution from Lakewood City Council approving the proposed use of the submerged land; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that this submerged lands lease is necessary for the improvements to be made; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood finds and determines that territory being proposed for the proposed shore structure, which is further described in the application for a submerged lands lease, is not necessary or required for the construction, maintenance or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting waterways, water terminals, facilities and improvements, and marginal highways in the aid of navigation and water commerce, and the land uses specified in the application comply with regulation of permissible land use as determined by the city.

Section 2. The Clerk of Council is hereby authorized and directed to certify a copy of this resolution to the Ohio Department of Natural Resources.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor



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**Lake Erie Submerged Lands Legal Description - Lease
Adjacent to 1040 Erie Cliff Drive, City of Lakewood, Ohio**

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section Nos. 22 & 23 conveyed to Theodore J. Nagel and Megan A. Nagel, Trustees by Deed recorded in AFN 202304140256 of Cuyahoga County Deed Records (CCDR) and described as follows:

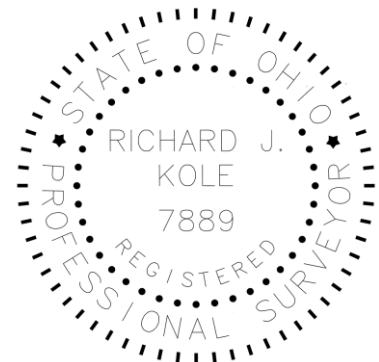
Beginning at a 5/8" iron pin found at the southeast corner of said land so conveyed to Nagel and being in the northerly curved line of Erie Cliff Drive, 60.00 feet wide; thence North 00°01'40" East along the east line of said land so conveyed, and passing over a 5/8" iron pin found at 135.00 feet, a total distance of 166.00 feet to the northeast corner of said land so conveyed; thence North 10°45'42" West along the litoral partition by means of perpendicular measurement over land and the open waters of Lake Erie, 35.44 feet to the **Principal Place of Beginning of the Lease Property described**;

1. Thence over the open waters of Lake Erie South 79°51'11" West, 94.84 feet to the litoral partition by means of perpendicular measurement;
2. Thence over the open waters of Lake Erie along said litoral partition, North 10°45'42" West, 10.00 feet;
3. Thence over the open waters of Lake Erie North 79°51'11" East, 94.64 feet to said litoral partition;
4. Thence South 10°45'42" East over the open waters of Lake Erie and along said litoral partition, 10.00 feet to the **Place of Beginning** and containing 0.0217 acres (946 square feet) of land as surveyed in April of 2023 by Richard J. Kole, Ohio Surveyor #7889, of R.M. Kole & Associates, Corp., Professional Land Surveyors.

Subject, however, to all legal rights-of-way of previous record.

Basis of bearings: State Plane Grid North, NAD 83(2011), Ohio North Zone, Tied by GNSS to ODOT VRS is the reference meridian for this survey.

Richard J. Kole – 02/04/2025
Registered Surveyor No. 7889



RESOLUTION NO. 2025-58

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1041 Forest Cliff Drive, Lakewood, Ohio PPN 311-13-072 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure.

WHEREAS, the property owners need to construct the proposed shore structure in Lake Erie at Lakewood, Cuyahoga County, Ohio; and

WHEREAS, as part of the application to lease submerged lands, the parties involved must submit to the Ohio Department of Natural Resources a resolution from Lakewood City Council approving the proposed use of the submerged land; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that this submerged lands lease is necessary for the improvements to be made; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood finds and determines that territory being proposed for the proposed shore structure, which is further described in the application for a submerged lands lease, is not necessary or required for the construction, maintenance or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting waterways, water terminals, facilities and improvements, and marginal highways in the aid of navigation and water commerce, and the land uses specified in the application comply with regulation of permissible land use as determined by the city.

Section 2. The Clerk of Council is hereby authorized and directed to certify a copy of this resolution to the Ohio Department of Natural Resources.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor



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LEGAL DESCRIPTION – ZELINA Submerged Land Lease Parcel 1 (Erosion Control) = 0.0027 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township (Township 7 North, Range 14 West in the Connecticut Western Reserve) Section No. 22, conveyed to Michael Zelina and described as follows:

Beginning at a 5/8" iron pin in a monument box found at a point of reverse curvature in the centerline of Forest Cliff Drive, 50.00 feet wide; thence northeasterly along the said centerline of Forest Cliff Drive by a curve to the left, an arc distance of 70.57 feet, said arc having a radius of 114.00 feet, a central angle of 35°28'08", and a chord which bears North 07°08'38" East, 69.45 feet to a 5/8" iron pin in a monument box found in the said centerline of Forest Cliff Drive; thence North 00°10'08" West, 101.06 feet to the southwest corner of land conveyed to Michael Zelina in deed dated December 21, 2016 and recorded by AFN 201612280632 of Cuyahoga County Deed Records; thence North 00°06'07" East along the easterly line of said land so conveyed, 179.99 feet to a point on the Natural Shoreline per 1968 ODNR historical aerial photo, and the **Principal Place of Beginning**;

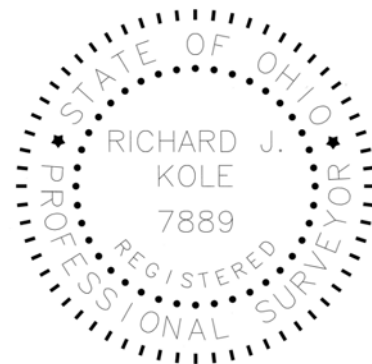
1. thence continuing North 00°06'07" East along the Littoral Boundary between said upland land conveyed to Michael Zelina and the upland land conveyed to Susan H. Krebs, established by property line extension, 6.33 feet;
2. thence North 89°20'40" East along the open waters of Lake Erie, 14.47 feet;
3. thence North 84°34'55" East along the open waters of Lake Erie, 27.87 feet to a point in the said Natural Shoreline;
4. thence South 77°48'23" West along the said Natural Shoreline, 43.20 feet to the **Principal Place of Beginning** and containing 117 square feet (0.0027 acres) of land as described on September 30, 2024 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.

A handwritten signature in black ink, appearing to read 'Richard J. Kole', is written over a horizontal line.

Richard J. Kole – 9/30/2024
 Registered Surveyor No. 7889





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LEGAL DESCRIPTION – ZELINA Submerged Land Lease Parcel 2 (Crib Pier) = 0.0047 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township (Township 7 North, Range 14 West in the Connecticut Western Reserve) Section No. 22, conveyed to Michael Zelina and described as follows:

Beginning at a 5/8" iron pin in a monument box found at a point of reverse curvature in the centerline of Forest Cliff Drive, 50.00 feet wide; thence northeasterly along the said centerline of Forest Cliff Drive by a curve to the left, an arc distance of 70.57 feet, said arc having a radius of 114.00 feet, a central angle of 35°28'08", and a chord which bears North 07°08'38" East, 69.45 feet to a 5/8" iron pin in a monument box found in the said centerline of Forest Cliff Drive; thence North 00°10'08" West, 101.06 feet to the southwest corner of land conveyed to Michael Zelina in deed dated December 21, 2016 and recorded by AFN 201612280632 of Cuyahoga County Deed Records; thence North 00°06'07" East along the easterly line of said land so conveyed, 186.32 feet to a point on the Littoral Boundary between said upland land conveyed to Michael Zelina and the upland land conveyed to Susan H. Krebs, established by property line extension, said point also being the **Principal Place of Beginning**;

1. thence continuing North 00°06'07" East along said Littoral Boundary, established by property line extension, 50.00 feet;
2. thence North 89°19'02" East along the open waters of Lake Erie, 3.79 feet;
3. thence South 00°40'58" East along the open waters of Lake Erie, 50.00 feet;
4. thence South 89°24'20" West along the open waters of Lake Erie, 4.47 feet to the **Principal Place of Beginning** and containing 206 square feet (0.0047 acres) of land as described on September 30, 2024 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.

Richard J. Kole – 9/30/2024
Registered Surveyor No. 7889



RESOLUTION NO. 2025-59

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the use of submerged lands for property located at 1039 Forest Cliff Drive, Lakewood, Ohio PPN 311-13-074 (a legal description of which is attached hereto as Exhibit "A"), in order to permit the owners the opportunity to construct the proposed shore structure.

WHEREAS, the property owners need to construct the proposed shore structure in Lake Erie at Lakewood, Cuyahoga County, Ohio; and

WHEREAS, as part of the application to lease submerged lands, the parties involved must submit to the Ohio Department of Natural Resources a resolution from Lakewood City Council approving the proposed use of the submerged land; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that this submerged lands lease is necessary for the improvements to be made; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood finds and determines that territory being proposed for the proposed shore structure, which is further described in the application for a submerged lands lease, is not necessary or required for the construction, maintenance or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting waterways, water terminals, facilities and improvements, and marginal highways in the aid of navigation and water commerce, and the land uses specified in the application comply with regulation of permissible land use as determined by the city.

Section 2. The Clerk of Council is hereby authorized and directed to certify a copy of this resolution to the Ohio Department of Natural Resources.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor



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LEGAL DESCRIPTION – DIAQUILA Submerged Land Lease Parcel 1 (Erosion Control) = 0.0115 Acres

Situated in the City of Lakewood and located within the submerged lands in Lake Erie, adjacent to the upland property in Cuyahoga County, Ohio and known as being part of Original Rockport Township (Township 7 North, Range 14 West in the Connecticut Western Reserve) Section No. 22, conveyed to Samuel V. Diaquila and described as follows:

Beginning at a 5/8" iron pin in a monument box found at a point of reverse curvature in the centerline of Forest Cliff Drive, 50.00 feet wide; thence northeasterly along the said centerline of Forest Cliff Drive by a curve to the left, an arc distance of 70.57 feet, said arc having a radius of 114.00 feet, a central angle of 35°28'08", and a chord which bears North 07°08'38" East, 69.45 feet to a 5/8" iron pin in a monument box found in the said centerline of Forest Cliff Drive; thence North 37°55'50" West, 122.51 feet to the southeast corner of land conveyed to Samuel V. Diaquila in deed dated November 4, 2014 and recorded by AFN 201412050197 of Cuyahoga County Deed Records; thence North 00°06'07" East along the easterly line of said land so conveyed, 158.01 feet to a point on the Natural Shoreline per 1968 ODNR historical aerial photo and being the **Principal Place of Beginning**;

1. thence South 75°07'03" West along said Natural Shoreline, 15.32 feet;
2. thence South 84°17'21" West, continuing along said Natural Shoreline, 20.36 feet;
3. thence South 89°27'52" West, continuing along said Natural Shoreline, 11.99 feet;
4. thence northeasterly along the open waters of Lake Erie by a curve to the right, an arc distance of 24.45 feet, said arc having a radius of 62.08 feet, a central angle of 22°34'08", and a chord which bears North 60°14'02" East, 24.30 feet;
5. thence North 71°31'06" along the open waters of Lake Erie, 27.57 feet to a point along the Littoral Boundary between said upland land conveyed to Samuel V. Diaquila and the upland land conveyed to Susan H. Krebs in deed dated November 29, 2014 and recorded by AFN 201412050359 of Cuyahoga County Deed Records, established by property line extension;
6. thence South 00°06'07" West along said Littoral Boundary by property line extension, 14.96 feet to the **Principal Place of Beginning** and containing 501 square feet (0.0115 acres) of land as described on September 27, 2024 by Richard J. Kole, Ohio Surveyor # 7889 of R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Basis of bearings: State Plane Grid North, NAD 83 (2011), Ohio North Zone. Tied by GNSS to O.D.O.T. VRS, is the reference meridian for this survey.

Subject, however, to all legal rights-of-way of previous record.

Richard J. Kole – 9/27/2024
 Registered Surveyor No. 7889

