

**ORDINANCE NO. 66-21**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF LEASE WITH PEACEWORKS, INC. FOR THE PROPERTY AT 406 S. BROADWAY STREET.**

**WHEREAS:** Ordinance No. 76-14, passed May 12, 2014 authorized the Mayor to enter into a Lease Agreement with Peaceworks, Inc. for the property at 406 S. Broadway Street.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to enter into a Memorandum of Lease Agreement with Peaceworks, Inc. for the property at 406 S. Broadway Street, City Lot 1064, Permanent Parcel No. 028-19D-01-117.

**SEC. 2:** That a copy of the Lease Agreement is marked Exhibit A, attached hereto and incorporated herein, and is subject to the Law Director's final approval.

**SEC. 3:** 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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** April 26, 2021

**SIGNED:** John M. Coyne, III  
President of Council

**ATTEST:** Kathy Patton  
Clerk of Council

**APPROVED:** April 27, 2021

**SIGNED:** Dennis Hanwell  
Mayor

ORD. 66-21  
Exh. A

MEMORANDUM OF LEASE

This Memorandum of Lease is made effective this 28 day of April, 2021, between the **CITY OF MEDINA**, an Ohio municipal corporation, 132 North Elmwood Avenue, Medina, Ohio 44256, as "Lessor" and **PEACEWORKS, INC.**, an Ohio non-profit corporation, 689 West Liberty Street, Suite 7, Medina, Ohio 44256, as "Lessee."

WITNESSETH:

For and in consideration of mutual covenants and agreements and of other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by the Lessor, the Lessor hereby demises to the Lessee and the Lessee hereby leases from the Lessor upon and subject to covenants and agreements set forth in a certain agreement between the Lessor and the Lessee bearing even date herewith, hereinafter called "Lease Agreement," the first floor, second floor, basement and the immediate surrounding area of the residence building located at 406 South Broadway Street in the City of Medina, County of Medina, and State of Ohio, the full legal description of which is set forth on Exhibit A.


To have to hold the same for a period of five (5) full years from the 27<sup>th</sup> day of May, 2021, unless sooner terminated under the conditions set forth in the Lease Agreement. For said consideration, the Lessor has granted and hereby does grant unto the Lessee the right and option to extend said term to and including one (1) additional term of five (5) years commencing on the expiration of the original term hereof, all in the manner and upon the covenants and agreements set forth in the Lease Agreement.

(The balance of this page is left blank; signature page to follow)

Signed and acknowledged by the parties hereto the day and year first above written.

Lessor:

**CITY OF MEDINA,  
an Ohio Municipal Corporation**

By:   
DENNIS HANWELL  
Its Mayor

Lessee:


**PEACEWORKS, INC.  
an Ohio Non-profit Corporation**

By:   
DAVID G. CLARDY  
Its President

STATE OF OHIO     )  
MEDINA COUNTY    ) ss:

BEFORE ME, a Notary Public in and for the State and County aforesaid, personally appeared the above-named **CITY OF MEDINA**, an Ohio municipal corporation, by **DENNIS HANWELL, its Mayor**, who executed the foregoing instrument in my presence and acknowledged the same as the voluntary act of said City and his voluntary act individually and as such officer. This is an acknowledgement. No oath or affirmation was administered to the signer.

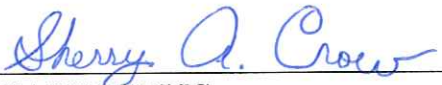
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 27 day of April, 2021, at Medina, Ohio.

  
NOTARY PUBLIC

STATE OF OHIO     )  
MEDINA COUNTY    ) ss:

BEFORE ME, a Notary Public in and for the State and County aforesaid, personally appeared the above-named **PEACEWORKS, INC.**, an Ohio non-profit corporation, by **DAVID G. CLARDY**, its President, who executed the foregoing instrument in my presence and acknowledged the same as the voluntary act of said corporation and his voluntary act individually and as such officer. This is an acknowledgement. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 5th day of May, 2021, at Medina, Ohio.

  
\_\_\_\_\_  
NOTARY PUBLIC

**SHERRY A. CROW**  
Notary Public  
State of Ohio, Medina County  
My Commission Expires 5-27-24

THIS INSTRUMENT PREPARED BY:  
Michael L. Laribee, Attorney at Law  
LARIBEE & HERTRICK, LLP  
325 North Broadway Street  
Medina, OH 44256  
(330) 725-0531

## EXHIBIT A

Situated in the City of Medina, County of Medina and State of Ohio: Known as being the south part of Lot No. 1064 (formerly Lot No. 64 on the Montville Township side of the City of Medina) and bounded and described as follows: On the North by the South line of the right-of-way of The Northern Ohio Railroad Company, now known and called the Wheeling and Lake Erie Railway; thence on the East by the East line of said Lot No. 1064, on the South by the South line of said Lot No. 1064, said South line being 367.3 feet in length, East and West, and on the West by the West line of said Lot, being the East line of South Broadway Street. **EXCEPTING THEREFROM:** Situated in the City of Medina, County of Medina, State of Ohio, T-3N, R-14W, and in Medina City Lot 1064, and being part of a 0.3778 hectare (0.9336 acre) parcel conveyed to Washington Properties, Inc. by Official Record Volume 1285, Page 633, dated June 17, 1997, and bounded and described as follows:

Commencing for reference at a point in State Route 57 (South Broadway Street) at the intersection with Wadsworth Road/Lafayette Road, being centerline Station 15+941.559, thence N 00° 41' 49" E along the centerline of right of way of State Route 57 for a record distance of 100.746 m (330.53') to a point at centerline Station 16+042.305, thence S 89° 18' 11" E for a distance of 9.144 m (30.00') to an iron pin set on the easterly existing right of way line of State Route 57 at Station 16+042.305, 9.144 m (30.00') right of centerline of Right of Way of State Route 57, also being the Principle Point of Beginning for the parcel described herein:

1. thence N 00° 41' 49" E for a distance of 14.519 m (47.63') to an iron pin set on the Owner's northerly property line at Station 16+056.824, 9.144 m (30.00') right of centerline of Right of Way of State Route 57;
2. thence along said northerly property line S 76° 44' 16" E for a distance of 13.171 m (43.21') to an iron pin set at Station 16+053.958, 22.000 m (72.18') right of centerline of Right of Way of State Route 57;
3. thence S 00° 41' 49" W for a distance of 6.219 m (20.40') to an iron pin set at Station 16+047.739, 22.000 m (72.18') right of centerline of Right of Way of State Route 57;
4. thence S 67° 47' 12" W for a distance of 13.957 m (45.79') to the Point of Beginning.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19D-01-022 and contains a gross take of 0.0133 hectares (0.0329 acres).

This description was prepared by Polytech, Inc. and reviewed on July 18, 2000, by George A. Hofmann, Registered Surveyor No. 6752.

This description was prepared based on a survey made by George A. Hofmann, P.S. 6752, for the Ohio Department of Transportation, District Three, in 1997 and 2000.

The iron pins set are 19 mm (3/4 inch) diameter rebars, 762 mm (30 inches) in length topped with a 38 mm (1-1/2 inch) diameter aluminum identification cap marked "ODOT R/W, George A. Hofmann, P.S. 6752".

The bearings referred to herein are based on an assumed meridian and are for the purposes of indicating angular measurement only.

The stations referred to herein are from the centerline right of way of State Route 57 as found on DOT right of way plan MED-57-16.029(9.96).

Prior Instrument Reference: Official Record Volume 1285, Page 633.

The above described 0.0133 hectares (0.0329 acres), more or less, of which the present road occupies 0.000 hectares (0.000 acres), more or less.

Permanent Parcel No. 028-19D-01-117 (406 South Broadway Street, Medina, OH 44256)



ORD. 66-21  
Exh.

February 12, 2021

City of Medina  
Attn: Mayor Dennis Hanwell/Law Director Greg Huber  
132 North Elmwood Avenue,  
Medina, OH 44256

Dear Messrs. Hanwell and Huber,

Please accept this letter of request for Peaceworks Inc. to enter two additional five (5) year options for the existing Lease at 406 South Broadway Street, Medina, Ohio 44256.

As you are both aware, the original lease began June 12<sup>th</sup>, 2014 for a term of five (5) years ending June 12<sup>th</sup>, 2019. The original five (5) year option will end June 12<sup>th</sup>, 2024. Peaceworks Inc is requesting two options totaling ten (10) years ending June 12<sup>th</sup>, 2034.

Please don't hesitate to contact me if you need any further information or assistance with this matter. My contact information is below.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Clardy".

David Clardy  
President, Peaceworks Inc.  
330-421-6837  
dclardy@ifpeace.com