

*fully executed
Recorded*

ORDINANCE NO. 161-20

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REVOCABLE USE PERMIT WITH BEACON FARMERS EXCHANGE LLC FOR A PROJECTING SIGN FOR THE MEDINA BREW COMPANY BUSINESS AT 320 SOUTH COURT STREET.

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

SEC. 1: That the Mayor is hereby authorized to execute a Revocable Use Permit with Beacon Farmers Exchange LLC for a projecting wall sign for the Medina Brew Company business at 320 South Court Street, Medina, Ohio.

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

SEC. 3: That the Clerk of Council is hereby directed to file the Revocable Use Permit with the Medina County Recorder.

SEC. 4: 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. 5: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: September 14, 2020

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: September 15, 2020

SIGNED: Dennis Hanwell
Mayor



8 3 1 2 3 4 1
Tx:8210276

2020OR024855

**JOSEPH F. SALZGEBER
MEDINA COUNTY RECORDER
MEDINA, OH**

**RECORDED ON
10/06/2020 03:45 PM**

**REC FEE: 58.00
PAGES: 6
DOC TYPE: PERMIT**

ORD 161-20

MEDINA COUNTY RECORDER

JOSEPH F. SALZGEBER

**(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)**

REVOCABLE USE PERMIT

Permission is hereby granted to **Beacon Farmers Exchange LLC** (“**Permittee**”) to use or occupy air space over the South Court Street public right-of-way located adjacent to the west of the **Permittee’s** leased property at 320 S. Court Street (Permanent Parcel # 028-19D-01-119) with a business identification sign. The area of encroachment and sign plans are shown on the attached exhibits.

The granting of this permit shall not be construed as an abridgement or waiver of any rights which the **City of Medina** has in exercising its jurisdictional powers and this permit shall be binding upon the **City of Medina** and the **Permittee**, his/her/its heirs, successors and assigns.

The City of Medina, for any reason and at any time, may order removal of the encroachments that are the subject of this use permit. If for any reason the **City of Medina** or its duly authorized representative deems it necessary to order the removal, reconstruction, relocation or repair of the encroachments, it shall be promptly undertaken at the sole expense of **Beacon Farmers Exchange LLC**. Failure on the part of the **Permittee** to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the **City of Medina** deems necessary, and the City may remove the encroachment at the **Permittee’s** sole expense. The **Permittee** agrees to indemnify and hold the **City of Medina** harmless from any claims by any person for personal injury or damages allegedly arising from the existence or maintenance of the encroachment.

No alterations may be made to the encroachments except that the **Permittee** may perform such routine maintenance as is required to keep the encroachment in good condition as determined necessary by the **Permittee** or the City of Medina. If the encroachments are removed or destroyed, no new facilities shall be permitted to encroach on the public right-of-way of North Broadway Street without the express, written consent of the **City of Medina**. The encroachments for which this permit is issued shall be subject to all permits required by the **City of Medina**. Plans for the intended encroachments are attached to and incorporated into this permit.

Any requests relative to these encroachments shall be made in writing to the following:

Prepared by:

Law Director
City of Medina
132 North Elmwood
P.O. Box 703

Dated at Medina, Ohio, this 15th day of September, 2020,



CITY OF MEDINA

By: *Dennis Hanwell*
DENNIS HANWELL, Mayor

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

BEFORE ME, a Notary of Public in and for said county and state, personally appeared the above-named, City of Medina, by Dennis Hanwell, its Mayor, who executed the foregoing instrument in my presence and acknowledged the same to be the voluntary act of said City and her voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have set my hand and official seal this 15th day of September, 2020, at Medina, Ohio.

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

Accepted this Oct day of 1st, 2020.

By: *[Signature]*
BEACON FARMERS EXCHANGE LLC
OWNER – 320 S. COURT STREET

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

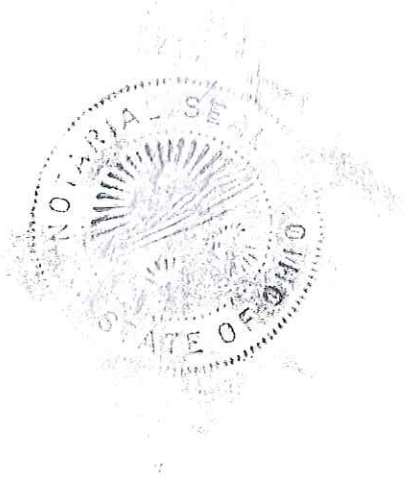
BEFORE ME, a Notary of Public in and for said county and state, personally appeared the above-named, City of Medina, by a representative of Beacon Famers Exchange LLC, who executed the

foregoing instrument in my presence and acknowledged the same to be the voluntary act of said City and her voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have set my hand and official seal this 1st day of October, 2020, at Medina, Ohio.

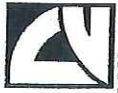
Sherry A. Crow

NOTARY PUBLIC



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

PHONE: 330.723.2376
 FAX: 330.722.2843
 NICK OR JIM
 @SIGNANDLIGHT.COM



NORTH COAST
 SIGN & LIGHTING
 SERVICE INC.



112' (10'27") OUT FROM BUILDING

38" PAST SIDEWALK

44' FROM STREET

80' (6'8")



132' (11') TO BOTTOM

SIDEWALK 74" (6'2")

STREET 156" (13')

234-231-0285

JOB: - MEDINA BREWING
 ADDRESS: - 410 S COURT ST MEDINA
 CONTACT: -
 PHONE: -
 FAX: -
 EMAIL: -
 DATE: - 11 JUNE 2020

NOTES: - 12" DEEP HANGING SIGN
 FORMED CABINETS, POLYCARB FACES
 VINYL GRAPHICS AND NEON ACCENTS.

ALL DRAWINGS ARE THE PROPERTY OF NORTH COAST SIGN & LIGHTING SERVICES INC. AND ARE TO BE USED FOR CONCEPTUAL PURPOSES ONLY UNTIL SIGNED AND DATED BY PROJECT MANAGER AND CUSTOMER. ANY OTHER USE IS PROHIBITED.

CUSTOMER APPROVAL SIGNATURE: _____

LANDLORD APPROVAL SIGNATURE: _____

EXHIBIT 'A'

2586577NE

LEGAL DESCRIPTION

Situated in the City of Medina, County of Medina, State of Ohio, and is described as follows:

Tract 1 Fee Simple

And known as being all of Medina City Lot 9231, as shown in the Replat of Medina City Lots 1053 and 1054 Creating New Medina City Lot 9231, recorded in Document No. 2018PL000042 of Medina County Recorder's Records, said premises containing .6732 acre (29,326 square feet) of Land, according to a survey by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on August 13, 2018, be the same more or less.

Tract 2 Leasehold

Situated in the City of Medina, County of Medina and State of Ohio and known as being part of Medina City Lots 1052 and 1053, further known as being a portion of those lands conveyed to Pittsburgh, Akron & Western Railroad Company by deed recorded in Volume 58, Page 250 of Medina County Recorder's Records, said premises being more particularly bounded and described as follows:

Beginning on the easterly line of South Court Street, 66 feet wide, at the most northerly corner of Medina City Lot 9231, as shown on the Replat of Medina City Lots 1053 and 1054. Creating New Medina City Lot 9231 recorded in Document No. 2018PL000042 of Medina County Recorder's Records;

Course No. 1: Thence North 00 degrees 05 minutes 43 seconds East along the easterly line of South Court Street, a distance of 22.93 feet to a point;

Course No. 2: Thence South 84 degrees 56 minutes 53 seconds East, a distance of 78.39 feet to a point;

Course No. 3: Thence North 05 degrees 03 minutes 07 seconds East, a distance of 18.41 feet to a point;

Course No. 4: Thence South 84 degrees 56 minutes 53 seconds East, a distance of 40.70 feet to a point;

Course No. 5: Thence South 77 degrees 49 minutes 13 seconds East, a distance of 197.49 feet to a point;

Course No. 6: Thence South 00 degrees 58 minutes 57 seconds East, a distance of 31.64 feet to a point on the northerly line of Parcel 1-WD conveyed to the State of Ohio by deed recorded in Document No. 2002OR017573 of Medina County Recorder's Records;

Course No. 7: Thence South 89 degrees 46 minutes 48 seconds West along the northerly line of said Parcel 1-WD, and along the northerly line of the aforementioned Medina City Lot 9231, a distance of 125.44 feet to an angle therein;

FP 028-19D-01-119