

**ORDINANCE NO. 2019-51  
INTRODUCED BY: MAYOR & COUNCIL**

**4210**

**AN ORDINANCE AUTHORIZING THE MAYOR TO  
TERMINATE A LAND EXCHANGE AGREEMENT  
WITH CHAGRIN MEADOWS, INC. AND ROBERT D.  
AND ROBERTA B. GRODIN WHICH AGREEMENT  
WAS PREVIOUSLY AUTHORIZED BY ORDINANCE  
2019-32.**

WHEREAS, Ordinance 2019-32 was adopted on May 13, 2019 authorizing the Mayor to enter into a Land Exchange Agreement with Chagrin Meadows, Inc. and Robert D. and Roberta B. Grodin (collectively "Grodin");

WHEREAS, on May 20, 2019 the Village entered into the Land Exchange Agreement ("Agreement") with Grodin;

WHEREAS, it has now been determined that the CMI Relinquished Property (as defined in the Agreement) is not owned by Chagrin Meadows, Inc., rather it is owned by Chagrin Meadows Home Owner's Association, and the Association is not willing to relinquish the CMI Relinquished Property to the Village;

WHEREAS, the Village and Grodin have now determined that the Agreement should be terminated pursuant to Section 3(c) of the Agreement due to an uncured title defect and the escrow established to close the Agreement should be terminated.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
VILLAGE OF CHAGRIN FALLS, STATE OF OHIO:**

**SECTION 1.** That the Mayor is authorized and directed to terminate the Agreement and to notify Grodin and Surety Title Agency, Inc. the Agreement is terminated immediately as a result of Grodin's inability to convey title to the CMI Relinquished Property to the Village.

**SECTION 2.** Grodin shall be required to pay any and all Title Company and Escrow fees and/or charges incurred pursuant to Section 3(c) of the Agreement and the Village shall receive all funds and documents previously paid or deposited with the Escrow Agent.

**SECTION 3.** That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in

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compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: October 28, 2019

  
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Nancy Rogoff, Council President

Submitted to the Mayor for  
his approval on this

29<sup>th</sup> day of October, 2019

Approved by the Mayor

October 29, 2019

  
\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Ordinance No. 2019-51 was duly enacted on the 28<sup>th</sup> day of October, 2019, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

  
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Clerk of Council