

## LEGAL NOTICE

### **PUBLIC AUCTION OF CERTAIN PROPERTY BY THE BOARD OF EDUCATION OF THE LAKEWOOD CITY SCHOOL DISTRICT THAT IS NO LONGER NEEDED FOR SCHOOL PURPOSES**

**Notice.** Under the provisions of Ohio R.C. 3313.41, notice is hereby given that the Board of Education (the “Board”) of the Lakewood City School District (the “District”) will offer for sale at public auction, to be held at the Board Office, 1456 and 1470 Warren Road, Lakewood, Ohio 44107, certain property located at 1456 and 1470 Warren Road, Lakewood, Ohio in Cuyahoga County (Permanent Parcel #: 314-04-019) (the “Property”). The Property will be auctioned on Tuesday, April 25, 2017, at 4:00 p.m. (EST). No person will be admitted to enter the auction after 4:00 p.m. (EST). Pre-registration is required and will commence at 3:30 p.m. (EST). A legal description for the Property is set forth below and included in the “Conditions of Sale” for the Property, which may be obtained as described under “Additional Information and Conditions of Sale” on the district web-site.

#### **LEGAL DESCRIPTION – SEE EXHIBIT A**

The descriptions in Exhibit A are intended to describe that certain real property known as Cuyahoga County Permanent Parcel Number 314-04-019, Cuyahoga County Tax Map (the “Property”). Due to the age of the foregoing descriptions, the property will need to be re-surveyed to obtain a new legal description prior to title transfer. Accordingly, notwithstanding anything contained in the foregoing descriptions to the contrary, (i) to the extent that the foregoing descriptions contain any land outside of the Property, they shall be expressly limited to include only the Property, and (ii) to the extent the foregoing descriptions do not contain the entire Property, they shall be expanded to include the entire Property.

**Method of Sale.** Subject to the right of the Board to reject any and all bids, the sale shall be made to the highest bidder, but shall not be final until written notification of the acceptance of any bid is given by the Board. The minimum acceptable bid shall not be less than the appraised value of Eight hundred and fifty thousand dollars (\$850,000). The minimum acceptable bid increments shall not be less than Twenty-Five Thousand Dollars (\$25,000).

**Terms of Sale.** Cash, a certified or cashier’s check, in the amount and within the time provided in the Conditions of Sale referred to below.

5. **Deposit.** A certified or cashier’s check, payable to the Board of Education of the Lakewood City School District, in an amount equal to ten percent (10%) of the minimum acceptable bid will be required at the time of the public auction from the highest bidder as security for the faithful performance should the bid be accepted, which amount will be applied toward the purchase price in the event the bid is accepted by the Board. The highest bid shall be reduced to writing, immediately upon completion of the bidding, on an offer form to be provided by the Board, **Exhibit B**. The deposit must be made by Noon on Wednesday, April 26, 2017. The deposit will be forfeited by the bidder if the bidder fails to complete the transaction.

**Additional Information and Conditions of Sale.** The real estate will be sold in AS IS condition without any warranty or representation and with the buyer assuming all liabilities. In addition, the seller reserves the right to withdraw from the sale for any reason whatsoever at any time prior to the closing date.

A tour of the Property shall be conducted on Friday, March 31, 2017, at 9:30 a.m. (EST). All questions, related to the sale of the property, tour, and/or auction, shall be directed to Jim Reitenbach, Executive Director of Operations and Construction for the Lakewood City Schools; Office: 216-529-4326 or at [Jim.Reitenbach@lakewoodcityschools.org](mailto:Jim.Reitenbach@lakewoodcityschools.org).

The Appraisal, Complete Conditions of Sale, and the District's Real Estate Purchase Agreement can be accessed at [www.lakewoodcityschools.org](http://www.lakewoodcityschools.org). and/or by request.

THE BOARD RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

### **EXHIBIT A**

#### **Parcel 1**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio: and known as being part of Original Rockport Township Section No. 22 and bounded and described as follows: Beginning on the Westerly line of Warren Road, 60 feet wide, at its intersection with the Northerly line of land conveyed to The Board of Education of the First Separate School District by Deed dated July 2, 1871, and recorded in Volume 191, Page 268 of Cuyahoga County Records; Thence Northerly along the Westerly line of Warren Road, to the Southeasterly corner of SubLot No. 1 in The J. E. Tegardine Subdivision, as shown by the recorded plat in Volume 29 of Maps, Page 19 of Cuyahoga County Records; Thence Westerly along the Southerly line of said SubLot No. 1 and along the Southerly line of land conveyed to The Cleveland Railway Company, by Deed dated March 19, 1925, and recorded in Volume 3239, Page 190 of Cuyahoga County Records, about 206.89 feet to the Northeasterly corner of land conveyed to The Board of Education of Lakewood School District by Deed Dated October 4, 1906, and recorded in Volume 1051, Page 45 of Cuyahoga County Records; Thence Southerly along the Easterly line of land so conveyed to the Northwesterly corner of land conveyed to The Board of Education by the first aforesaid Deed; Thence Easterly along the Northerly line of land so conveyed to the place of beginning, be the same more or less, but subject to all legal highways.

#### **Parcel 2**

Situated in the Township of Rockport, County of Cuyahoga and State of Ohio and known as being situated in Section No. 22 in said Township bounded as follows: commencing in the center of the Alger Road, so called, at a point to wit: the south east corner of the present School House lot. Thence running west along the south line of said School House lot to the south west corner of the same. Thence south on a line with the west line of said School lot six (6) rods. Thence east parallel with said north line fourteen (14) rods to the center of said road. Thence north along the center of said road to the place of beginning containing one half acre of land be the same more or less but

subject to all legal highways.

Parcel 3

Situated in the Village of Lakewood, County of Cuyahoga and State of Ohio and known as being a part of original Rockport Tp Sect. #22 and bounded and described as follows: beginning at the north west corner of a parcel of land leased by Albert Wagar to The Board of Education of the Township of Rockport by lease dated January 31, 1857 and recorded in Volume 93, page 307 of Cuyahoga County records which corner is about 471 feet south of the southerly line of Detroit Street and about 233.30 feet westerly from the center line of Warren Road thence south 89° - 30' 81.25 feet to the east line of proposed Robbins Avenue thence south 0° 19' east along said east line of proposed Robbins Avenue 258.26 feet to a point thence north 88° - 41' east 75.76 feet to the south west corner of a parcel of land conveyed by Ann Wagar widow of Albert Wagar deceased and others to The Board of Education of The First Separate School District of Rockport by deed dated July 2, 1871 and recorded in Volume 191 page 268 of Cuyahoga County Records thence north 0° 54' 55" east along the west line of said parcels of land conveyed as above 258.31 feet to the place of beginning and being further known as all of sub lots # 9, 10, 11, 12, 13 and 14 in David A. Wagar's proposed subdivision of a part of original Rockport Township Section #22, be the same more or less but subject to all legal highways.

**EXHIBIT B**

**BID AND OFFER TO PURCHASE CERTAIN REAL PROPERTY**

Pursuant to the Public Auction held on this date, the undersigned hereby bids for, and offers to purchase, the property located at 1456 and 1470 Warren Road, Lakewood, Ohio as described in the "Legal Notice" of public auction and "Conditions of Sale" as advertised on March 19 & 26, 2017, and located on the District Web-site, for a purchase price of [\_\_\_\_\_ Dollars] [\_\_\_\_\_].

The bid and offer to purchase is made in accordance with and subject to the attached Conditions of Sale, which is incorporated herein and made a part of this Bid and Offer to Purchase Certain Real Property.

The following are the full names of each individual, corporation, partnership or other association interested in this bid and offer to purchase:

\_\_\_\_\_  
\_\_\_\_\_

Enclosed herewith is cash, a certified or cashier's check payable to the "Board of Education of the Lakewood City School District," in an amount equal to [\_\_\_\_\_] Dollars [\_\_\_\_\_] as security for faithful performance should this bid and offer to purchase be accepted by the Board of Education. The individual signing below represents that s/he has full authority to make this offer and execute this document on behalf of his/her respective parties or interests.

\_\_\_\_\_  
Printed Name of Bidder

\_\_\_\_\_  
Signature of Bidder

By: \_\_\_\_\_  
Authorized Officer (if appropriate)

Dated: \_\_\_\_\_, 2017

**ACCEPTANCE OF BID AND OFFER  
TO PURCHASE CERTAIN REAL PROPERTY**

The Board of Education of the Lakewood City School District accepts the above bid and offer to purchase.

Acceptance authorized by attached Resolution adopted by the Board of Education dated \_\_\_\_\_,

BOARD OF EDUCATION OF THE LAKEWOOD CITY SCHOOL DISTRICT

By: \_\_\_\_\_  
Board President                      Date

By: \_\_\_\_\_  
Treasurer                              Date

