

**RESOLUTION No. 008-17R**

**A RESOLUTION ADOPTED PURSUANT TO SECTION 1506.11 OF THE OHIO REVISED CODE FINDING AND DETERMINING THAT BASED UPON THE REPRESENTATIONS AND APPLICATION FILED BY WILLIAM F. AND JAYNE E. DJUBEK, TRUSTEES FOR PROPERTY LOCATED AT 103 LURIE LANE, THE USE AND DEVELOPMENT OF THE TERRITORY SO DESCRIBED, A SUBMERGED LANDS LEASE MAY BE ENTERED INTO BY THE STATE'S DIRECTOR OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, William F. and Jayne E. Djubek, Trustees are the upland property owners of land located at 103 Lurie Lane, in the City of Sandusky; and

**WHEREAS**, the upland property owner has made certain representations and filed an original application and site plan consistent therewith, with the State Director of Natural Resources, a copy of which is attached marked "Exhibit A" and incorporated herein, indicating a desire to use and develop a part of the territory as specified in their application and site plan without impairment of the public's right of navigation, water commerce and fishery; and

**WHEREAS**, this City Commission determines that based upon the upland property owners representations, the territory as described in their application and site plan filed by the upland property owner is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky, of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce; and

**WHEREAS**, this City Commission determines that based upon the upland property owners representations the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under all waterfront plans adopted by the City of Sandusky; and

**WHEREAS**, this Resolution should be passed as an emergency measure and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission finds and determines that based upon the upland property owner's representations as contained in attached "Exhibit A" the territory as described in their application and site plan is not necessary or required for the construction, maintenance, or

operation, by the City of Sandusky of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce.

Section 2. This City Commission finds and determines that based upon the upland property owners representations contained in attached "Exhibit A" the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under all waterfront plans adopted by the City of Sandusky; and

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

ATTEST:



\_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: February 13, 2017

ENGINEERING DEPT.

JAN 19 2016

CITY OF SANDUSKY

**William Djubek**  
103 Lurie Ln  
Sandusky, OH 44870  
wdjubek@aol.com  
(419) 626-6234

January 19, 2017

City of Sandusky  
City Manager  
222 Meigs Street  
Sandusky, OH 44870

Ladies and Gentlemen:

I am submitting an application to ODNR for a submerged land lease to install a floating dock in Sandusky Bay from land behind our home at 103 Lurie Lane, Sandusky (parcel # 55-00345.001).

We intend to place the dock in the water annually from March to November.

It is necessary to include a resolution from the City of Sandusky to be submitted with the lease application. The resolution is to include a statement that the submerged lands are not needed by the local authority for future improvements and that the land use in my application comply with regulation of permissible land use of the local authority.

Please consider and act upon my request for a resolution from the City of Sandusky at your next possible meeting. A copy of the ODNR application is attached.

Please contact me if you need additional information or have any questions. You may send the authorizing resolution to me at 103 Lurie Lane, Sandusky and to Ohio DNR Office of Coastal Management, 105 West Shoreline Drive, Sandusky OH 44870.

Thank you for your assistance.

With best regards,

*William Djubek, Trustee*

William Djubek, Trustee





# COASTAL PERMITS AND LEASE APPLICATION

Please consult the instructions prior to completing this form. Please type or print clearly using blue or black ink.

## GENERAL INFORMATION

1. Property owner name: <i>William + Jayne Djubek</i>	
2. Mailing address: <i>103 Lurie Ln Sandusky OH 44870</i>	3. Home telephone number: <i>419-626-6234</i>
	4. Alternate telephone number:
5. Email address: <i>WDJUBEK@AOL.COM</i>	
6. Authorized agent/representative name:	
7. Mailing address:	8. Telephone number:
	9. Fax Number:
	10. Email address:

11. Street address: <i>103 Lurie Ln</i>	
12. Permanent parcel number(s): <i>55-00345.001</i>	
13. City or township: <i>SANDUSKY</i>	14. County: <i>ERIE</i>
15. Site location description (if necessary): <i>Seasonal Floating dock. 4ft x ON SANDUSKY BAY AT PROPERTY ADDRESS</i>	16. Submittals (check if enclosed). <input checked="" type="checkbox"/> Location map

17. Name of adjoining shoreline property owner(s)	Street address/city/state/ zip code (include permanent mailing and local)
<i>Noema + David Jesse</i>	<i>1107 Cedar Point Rd - 44870 6440 Myrtle Hill, Valley City, OH 44280</i>
<i>Susan + Craig Stahl</i>	<i>107 Lurie Ln, Sandusky, OH 44870</i>

18. Brief description of the proposed structure or project (attach additional sheets if necessary): <i>Seasonal Floating dock - Purchased Aluminum Dock (Attached sheet - 2 units will be purchased)</i>	
19. Anticipated start date: <i>March 2017</i>	20. Anticipated finish date: <i>March 2017</i>

21. To apply for an authorization, check the box below and complete the application on the reverse page:		
<input type="checkbox"/> Shore Structure Permit	<input type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input type="checkbox"/> Submerged Lands Lease Modification	<input type="checkbox"/> Consistency Statement

AGENCY USE ONLY			
Application Reference #:	Date Received:		
Lease Reference #:	This copy to:	<input type="checkbox"/> SSP	<input type="checkbox"/> SLL
		<input type="checkbox"/> CEA	<input type="checkbox"/> Other

**SHORE STRUCTURE PERMIT APPLICATION**

**§1506.40 ORC**

1. Professional Engineer:		2. Ohio registration number:
3. Mailing address:	4. Phone number:	7. Submittals (check if enclosed)  <input type="checkbox"/> Construction drawings (by professional engineer)  <input type="checkbox"/> Design information
	5. Fax number:	
	6. Email address:	

**SUBMERGED LANDS LEASE APPLICATION**

**§1506.11 ORC**

1. Total Area of Submerged Lands to be Occupied: <i>4 feet x 20 feet</i>	
2. Upland deed recording information [Deed book]	[Deed page]
3. Local Authority Issuing Resolution: <i>Application Submitted</i>	Date issued:
4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary):  <i>Seasonal floating dock for Recreational purposes.</i>	6. Submittals (check if enclosed): <input checked="" type="checkbox"/> Construction drawings <input checked="" type="checkbox"/> Copy of title deed <input type="checkbox"/> Metes & bounds description and plat <input type="checkbox"/> Local resolution or ordinance <input type="checkbox"/> Legal documentation of signature authority

**COASTAL EROSION AREA PERMIT APPLICATION**

**§1506.07 ORC**

1. Authorization Type:	<input type="checkbox"/> Existing	<input type="checkbox"/> New Measure	Date Built (if existing):
2. Upland deed recording information [Deed book]	[Deed page]		
3. Construction start date for the building or addition:			
4. Brief description of the building or addition (attach additional sheets if necessary):		5. Submittals (check if enclosed): <input type="checkbox"/> Construction drawings <input type="checkbox"/> Permanent structure drawings <input type="checkbox"/> Copy of title deed <input type="checkbox"/> Construction schedule <input type="checkbox"/> Design information	

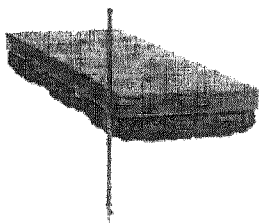
**SIGNATURE AND CONSISTENCY STATEMENT**

**§1506.03 ORC**

I certify that the proposed activity identified in this application shall comply with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03).

I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.

<i>Will F. Smith</i>	<i>1-19-2017</i>
Signature of Property Owner or Authorized Agent	Date



**PlayStar Pre-Built Commercial Grade Floating Dock with Wood Frame & Top - 4'x10'**

**Product Specifications:**

**Dimensions:** 4x10  
**Model Number:** 1765002  
**Menard SKU:** 1765002  
**Dock Style:** Floating  
**Number of Sections:** 1  
**Dock Material:** ACQ Treated Lumber 2"x 6" Frame With 5/4" Decking Top  
**Shop by Framing Type:** Commercial  
**Frame Material:** ACQ Treated Lumber 2"x 6" Frame  
**Includes:** ACQ Treated Lumber 2"x 6" Frame, 5/4" Decking Top, Commercial Grade Dock Hardware, (3) Dock Floats, (2) Commercial Grade Hinge Kits Ps 1070, (1) Commercial Grade Auger, (1) Commercial Grade Pipe Sleeve, (1) Pipe Safety Caps, (1) Multi-purpose Bumper, (2) Pipe Sleeve Bumpers, (1) Resin Dock Cleat  
**Overall Length:** 120 inch  
**Overall Width:** 48 inch  
**Type:** Pre-Built

**Online Price**

Everyday Low Price:	<b>\$934.49</b>
11% Mail-In Rebate:	<b>\$1,049.99</b>
<b>Your Final Price:</b>	<b>\$934.49</b>

**You Save: \$115.50 After Mail-In Rebate**

\*The displayed final price is your price today after mail-in rebate and is subject to the terms and time frame of the rebate. Rebate is in the form of a merchandise credit check which may only be redeemed in store.

**Online Availability**

Ship to Home  
 Not eligible for Ship to Home

Ship to Store - Free!

**Store Availability**

**Product Description**

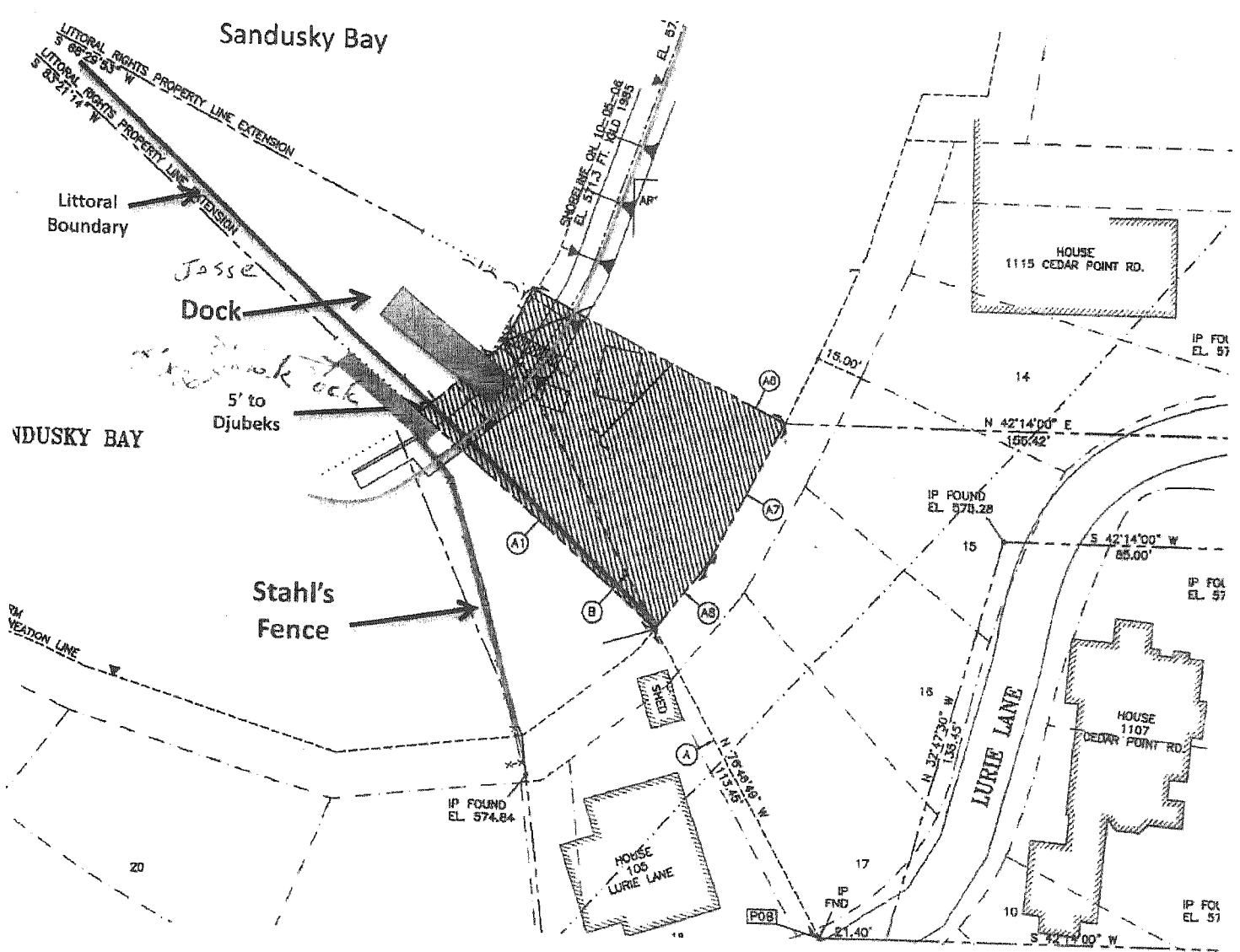
Pre-Built right in our factory by experienced craftsmen, our dock frames and tops are constructed for you and shipped to the store. Finish assembly is required to install pipe sleeves, augers, floats, hinges and accessory items. Pipe not included in purchase. Depth of water to dictate length of required pipe. System will accommodate 1-5/8" or 1-7/8" diameter galvanized pipe. 1 piece needed.

- Includes ACQ Treated Lumber 2"x 6" frame and 5/4" decking top, Commercial Grade Dock Hardware, (3) Dock Floats, (2) Commercial Grade Hinge Kits PS 1070, (1) Commercial Grade Pipe Sleeve PS 1080, (1) Commercial Grade Auger PS 1100, (1) Pipe Safety Caps PS 1193, (1) Multi-Purpose Bumper PS 1352, (1) Pipe Sleeve Bumpers PS 1188, (1) Resin Dock Cleat PS 1191. Pipe sold separately.
- Combine 2 or more sections to create the configuration of your choice
- Superior impact resistant marine dock float. Stable, safe and maintenance free
- Floats have large surface area and low center of gravity, 500 lb. buoyancy rating each (1,500 lbs per section), Blow molded high density polyethylene with no seams to leak.
- All hardware components are marine grade hot dipped galvanized for long life
- Proudly Made in the U.S.A.
- Full 25 year warranty

**Brand Name:** Menards

**Please Note:** Prices, promotions, styles and availability may vary by store and online. While we do our best to provide accurate item availability information, we cannot guarantee in-stock status and availability as inventory is sold and received continuously throughout the day. Inventory last updated 1/19/2017 at 5:00am EST. Online orders and products purchased in-store qualify for rebate redemption. Rebates are provided in the form of a Menards® Merchandise Credit Check valid towards purchases at any Menards® retail store. Not valid for purchases on MENARDS.COM®.

**Menards®**  
 5106 Menard Drive  
 Eau Claire, WI, 54703, USA  
 customerservice@menardsoc.com



Attachment B

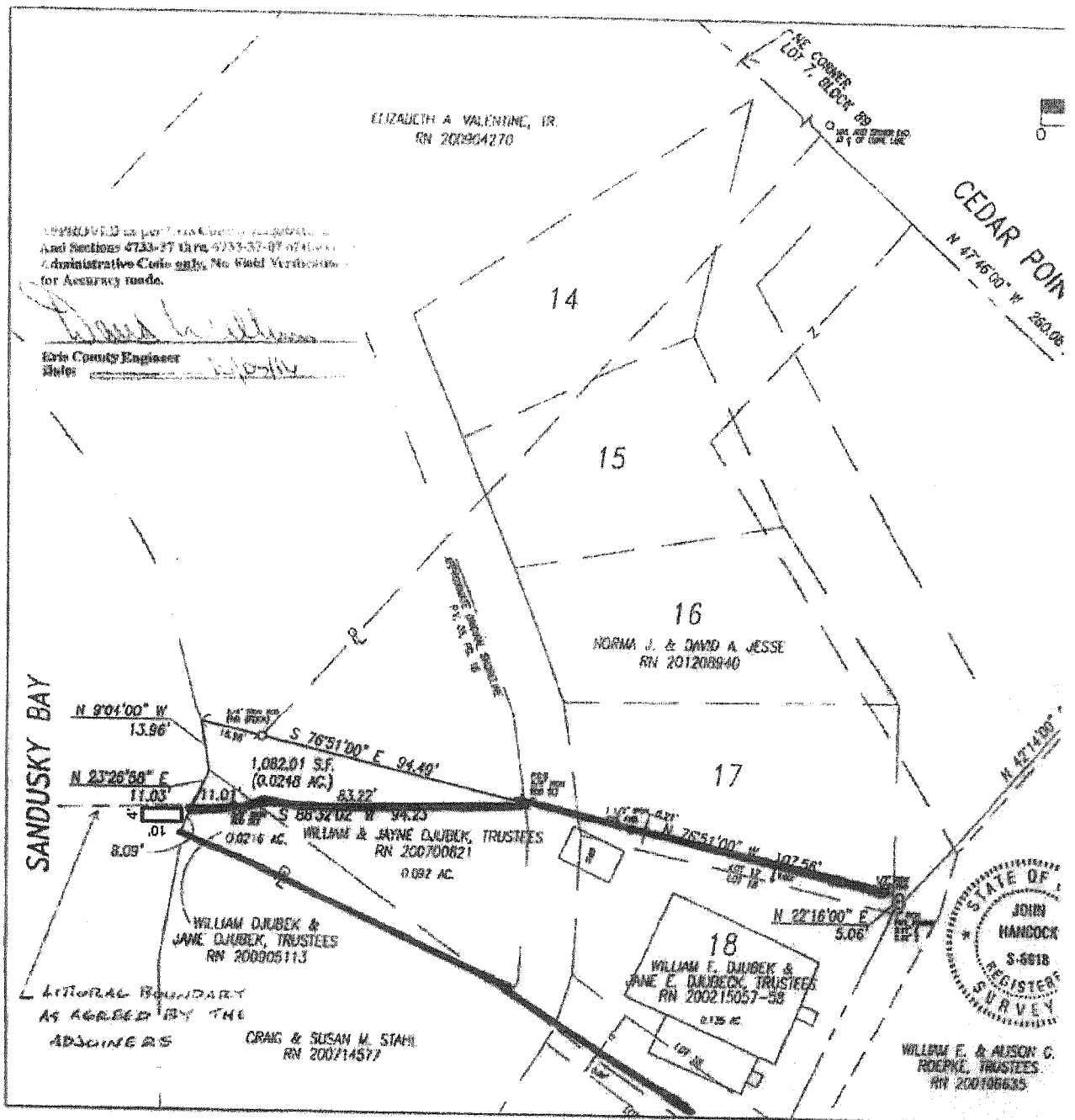




EXHIBIT "A"

LEGAL DESCRIPTION  
0.0216 ACRES CONVEYANCE STAHL TO DJUBEK

Situate in the State of Ohio, County of Erie, City of Sandusky, Ward 1, being part of those lands of Craig H. and Susan M. Stahl as described in a conveyance recorded in D.V. 550, Pg. 912, all references herein to the records of the Erie County Recorder, more particularly bounded and described as follows:

Beginning for reference at a point in the southwesterly line of Cedar Point Rd. as platted and denoted in the plat of the G.A. Boeckling Company's Subdivision A, P.V. 8, Pg. 18, said point bearing S 47°46'00" E, a distance of 260.08 feet from the northeast corner of Lot 7, Block 89 and being in a line between the northeast corner of Lot 7, Block 89 and the northwest corner of Lot 2, Block 84; thence, S 42°14'00" W, a distance of 147.82 feet to the northeast corner of Lot 18 of the G.A. Boeckling Company's Subdivision A; thence, S 26°13' 00" W with the easterly line of lands of William & Jane Djubek, Trustees, RN 200003524 and with Lot 18 in said subdivision, a distance of 70.00 feet to the southeast corner of Lot 18; thence S 35°47'00" W with said lands, a distance of 15.37 feet (previously recorded as 15.00 feet) to a 3/4" iron pipe found in the northeasterly line of the aforementioned lands of Stahl; thence, N 53°59'00" W with said lands of Stahl, a distance of 69.66 feet to a 1/2" iron rod found; thence, N 53°59'00" W continuing with said lands of Stahl, a distance of 15.00 feet to a 1/2" iron rod found and the TRUE POINT OF BEGINNING for this description;

Thence, N 60°28'16" W through said lands of Stahl, a distance of 14.83 feet to a 1/2" iron rod set;

Thence, N 64°57'41" W continuing through said lands of Stahl, a distance of 89.21 feet to the low water mark of Sandusky Bay, passing at 70.21 feet a 1/2" iron rod set;

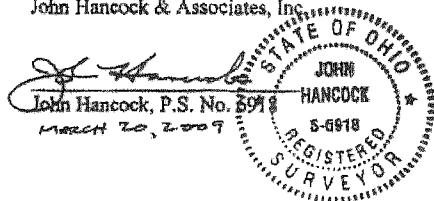
Thence, N 23°26'58" E with said low water mark, a distance of 19.12 feet to a westerly corner of lands of William and Jayne Djubek, D.V. 443, Pg. 559;

Thence, S 53°59'00" E with said lands, a distance of 106.48 feet to the point of beginning, passing at 9.29 feet a 1/4" iron rod found, containing 0.0216 acres of land, more or less.

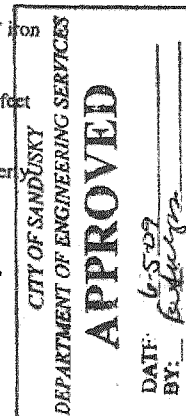
This description was prepared by John Hancock, P.S. from field surveys conducted October 1999, June 24, 2005, October 2, 2007 and on March 13, 2009.

Bearings are based on southwesterly line of Cedar Point Rd. bearing S 47 46'00" E.

John Hancock & Associates, Inc.



Erie County Requirements  
Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only, No Field Verifications  
for Accuracy Pursuant to 157807/1578 Agreement  
*David Williams*  
Erie County Engineer  
Date: 3/23/09



QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS

That, we, CRAIGH H. STAHL and SUSAN M. STAHL, Husband and Wife, the Grantors, who claim title by or through an instrument recorded in Erie County Recorder's Office, for the consideration of One Dollar (\$1.00) and other good and valuable consideration received to our full satisfaction of WILLIAM DJUBEK and JAYNE DJUBEK, Trustees of the WILLIAM DJUBEK TRUST and THE JAYNE DJUBEK TRUST, the Grantees, whose tax mailing address will be 103 Lurie Lane, Sandusky, Ohio 44870, have Given, Granted, Remised, Released and Forever Quit-Claimed, and do by these presents absolutely give, grant, remise, release and forever quit-claim unto the said Grantees, their successors and assigns forever, all such right and title as we, CRAIGH H. STAHL and SUSAN M. STAHL, the said Grantors, have or ought to have in and to the following described piece or parcel of land, situated in the City of Sandusky, County of Erie and State of Ohio:

See attached Exhibit "A".

Prior Deed Reference: Vol. \_\_\_\_\_, Page \_\_\_\_\_, Erie County Deed Records.

Permanent Parcel No. \_\_\_\_\_

To Have and to Hold the premises aforesaid, with the appurtenances thereunto belonging unto the said Grantees, their successors and assigns, so that neither the said Grantors, nor their heirs, nor any other persons claiming title through or under them, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

And for valuable consideration we, CRAIGH H. STAHL and SUSAN M. STAHL, Husband and Wife, release and forever quit-claim unto said Grantees, their successors and assigns, all our right and expectancy of Dower in the above described premises.

IN WITNESS WHEREOF, we have hereunto set our hands, the 21<sup>st</sup> day of May, in the year of our Lord Two Thousand Nine.

Craig H. Stahl  
CRAIGH H. STAHL, Grantor

Susan M. Stahl  
SUSAN M. STAHL, Grantor

STATE OF OHIO,  
ERIE COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above-named CRAIG H. STAHL and SUSAN M. STAHL, Husband and Wife, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In Testimony Whereof, I have ~~transferred~~ my hand and official seal this 21<sup>st</sup> day of May, A.D. 2009.



<b>Transferred</b>	
In Compliance with sections 819-202 and 322-02 of the Ohio Revised Code.	
FEE: \$	
EXEMPT: <input checked="" type="checkbox"/>	
P.L.E. TRANSFER:	
Thomas J. Paul Erie County Auditor	
Trans. Fees: \$	50
Date:	6/5/09

Kevin J. Zeimer  
Notary Public  
KEVIN J. ZEIMER, ATTORNEY AT LAW  
Notary Public - State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.

Prepared by Kov

APPROVED as per Erie County Requirements, And Sections 4733-37 thru 4733-37-07 of the Ohio Administrative Code only. No Field Verifications for Accuracy made.  
[Signature]  
Erie County Engineer

APPROVED BY THE PLANNING AND ZONING COMMISSION  
CITY OF SANDUSKY, OHIO  
DATE 6/5/09 Carmel Handa SECY.

APPROVED BY THE PLANNING  
AND ZONING COMMISSION  
CITY OF SAUGUO, CALIF.  
DATE 4/5/09 Amir R. Handy City Chief Planner

