



**COURT OF COMMON PLEAS
PROBATE / JUVENILE DIVISION
GEAUGA COUNTY**

TIMOTHY J. GRENDELL – JUDGE

Courthouse Annex, 2nd Floor
231 Main Street, Suite 200
Chardon, Ohio 44024
Voice: 440-279-1830
Fax Probation: 440-285-5025
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March 2, 2017

Russell Township Park Commission
P.O. Box 28
Novelty, Ohio 44072

Re: Reports of Possible Land Sale

Dear Park Board Members Butters, Genske and O'Brien:

It has come to the Court's attention that the Township Park District may be exploring the possible sale of some land.

While the initial decision to sell or lease Township Park District property rests solely with the Township Park Board, the Park District ultimately cannot sell any land without the approval of the Probate Court. Specifically, Ohio Revised Code 1545.12(C) reads: "No lands shall be sold under this section at either public or private sale without the approval of the probate court of the county in which the lands are situated."

Normally, I would wait until the Park Board submits a request for approval of a potential sale to me for consideration per the statute. In this case, however, I feel obliged to bring to your attention my concerns to avoid any rumor mongering or misinformation, which appears to have already begun, as well as any unnecessary expenditure of public funds.

Without prejudging the matter, please be advised that I will NOT approve any sale or transfer of any township park property if such sale or transfer would in any way: (1) adversely affect the preservation of the property, (2) result in any change to the natural condition of the property, or (3) permit development of any kind on the property. Moreover, I will NOT approve any sale or transfer of any township park property that would result in any residual public funding of subsequent ownership.

It is **IMPERATIVE** that all township park district owned property be **PRESERVED**, **CONSERVED**, and **PROTECTED**, as provided in Ohio Revised Code Chapter 1545.

Please also be advised that should this matter formally come to my attention for consideration pursuant to R.C. 1545.12(C), I will conduct one or more public hearings in Russell Township to address these and all other relevant issues, as well as to hear the concerns of any and all Russell Township residents, before ruling.

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy J. Grendell". The signature is fluid and cursive, with the first name being the most prominent.

Timothy J. Grendell
Geauga County Probate/Juvenile Court, Judge

cc: Russell Township Trustees
Asst. Prosecutor