

VILLAGE OF WELLINGTON

ORDINANCE NO. 2004 - 44

AN ORDINANCE  
INDICATING WHAT SERVICES THE VILLAGE OF WELLINGTON WILL PROVIDE  
UPON THE ANNEXATION INTO THE VILLAGE OF WELLINGTON OF  
CERTAIN LANDS OWNED BY THOMAS & ELIZABETH MURPHY  
AND DECLARING AN EMERGENCY

Whereas, Thomas and Elizabeth Murphy have petitioned the Board of Commissioners of Lorain County, Ohio to annex to the Village of Wellington certain territory containing .8072 acres of land, as is more fully described in Exhibit "A," attached hereto and incorporated herein as if fully rewritten, hereinafter referred to as the "Territory"; and

Whereas, the Village of Wellington is desirous of having the Territory annexed to the Village of Wellington; and

Whereas, pursuant to the Revised Code, the Board of Commissioners have set a public hearing for October 14, 2004, for the consideration of this proposed annexation; and

Whereas, the Revised Code requires that this Council file a statement with the Board of County Commissioners no later than 20 days prior to that public hearing a statement of what services the Village of Wellington would be willing to provide to the Territory upon its annexation to the Village; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WELLINGTON, LORAIN COUNTY, OHIO:

Section 1. That the Village of Wellington will provide or make available to the Territory, within thirty days after its annexation to the Village of Wellington, the same services that the Village regularly and customarily provides to the real property located within the Village of Wellington, and at the same rates, fees, and conditions, as established by this Council for such services, which services shall include, but not be limited to, police, water, sewers, sanitation, and garbage collection.

Section 2. That the Clerk shall provide a certified copy of this Resolution to the Board of Commissioners of Lorain County, Ohio, no later than September 23, 2004.

Section 3. The Council finds and determines that all formal actions relating to the adoption of this Ordinance have been taken at open meetings of this Council; that the deliberations of this Council and its Committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements, including the requirements of Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety, and for the welfare of the citizens of the Village, and for the further reason that it is necessary that this measure become effective immediately in order to satisfy the statutory deadline for responding to the Board of County Commissioners, and that, provided it receives the majority vote of two-thirds or more of those elected to Council, this Ordinance shall therefore take effect and be in force immediately from and after its passage and approval by the Mayor, and otherwise it shall take effect at the earliest period allowed by law.

PASSED: October 4, 2004

ATTEST: Dawn Webb  
Clerk-Treasurer

Barbara O. Reife  
Mayor

Approved as to form:

\_\_\_\_\_  
Solicitor

THERESA L. PIPTON  
CLERK

2004 OCT 14 A 10:18

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LORAIN COUNTY  
COMMISSIONERS

PETITION FOR ANNEXATION

The undersigned, being a majority of the property owners in the property proposed to be annexed, such property being contiguous to the Village of Wellington, Ohio, hereby petition the Board of Commissioners of Lorain County, Ohio, for annexation of the property located at 20464 S.R. 58, Wellington, Ohio 44090 and further described below, to the Village of Wellington, Ohio:

Situated in the Township of Wellington, County of Lorain and State of Ohio. Being known as part of Original Wellington Township Lot No. 29, and more definitely described as follows:

Beginning in the original centerline of the Ashland-Oberlin Road, also known as Ohio Route No. 58, said line being also the easterly line of Original Lot No. 29, at the southeasterly corner of land conveyed to Thomas A. Murphy and Elizabeth A. Murphy as recorded in Deed Volume 1421, Page 98 of Lorain County Deed Records; said point being about 1335.2 feet distant northerly from the intersection of said original centerline and the westerly extension of the northerly sideline of McCormick Street, 60 feet wide, as recorded in Volume 45, Page 33 of Lorain County Plat Records;

Thence North  $88^{\circ} 35' 57''$  West in the Murphys' southerly line, a distance of 57.77 feet to a point in the westerly right of way line of Ohio Route 58 and at an angle point in the existing corporation line of the Village of Wellington; said point is the principal place of beginning;

Thence continuing North  $88^{\circ} 35' 57''$  West in the Murphys' southerly line and in the existing corporation line of the Village of Wellington, a distance of 242.23 feet to the Murphys' southwesterly corner;

Thence North  $1^{\circ} 14' 32''$  East in the Murphys' westerly line, a distance of 145.20 feet to the Murphys' northwesterly corner;

Thence South  $88^{\circ} 35' 57''$  East in the Murphys' northerly line, a distance of 242.38 feet to a point in the westerly right of way line of Ohio Route 58;

Thence South  $1^{\circ} 18' 03''$  West in the westerly right of way line of Ohio Route 58, a distance of 145.20 feet to the principal place of beginning;

Enclosing a parcel containing 0.8072 acre of land, but subject to all legal highways.

The above description has been prepared from record and from right-of-way plans prepared by The State of Ohio for the Ashland-Oberlin Road as Project No. LOR-58 (7.98).

Permanent Parcel No.: 18-00-29-000-004

EXHIBIT 4

The name of the person to act as agent for the undersigned petitioners is James N. Taylor, Esq., Taylor, Breunig & Robinson Co., L.P.A., 409 East Avenue, Suite B, Elyria, Ohio 44035, Telephone: (440) 323-5700, Fax: (440) 284-2818.

Date: 8/5/04

*Thomas A. Murphy*  
\_\_\_\_\_  
Thomas A. Murphy

Date: 8/5/04

*Elizabeth A. Murphy*  
\_\_\_\_\_  
Elizabeth A. Murphy

THERESA L. UPTON  
CLERK

2004 AUG -9 A 11:45

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COMMISSIONERS

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COMMISSIONERS

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THERESA L. UPTON  
CLERK

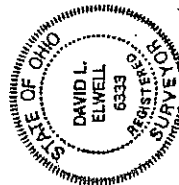
LAD & BRIAN & RODNEY  
HARRISON  
INST.# 980570854  
18-00-020-000-037

McCORMICK STREET 60'  
P.V. 45 P. 33

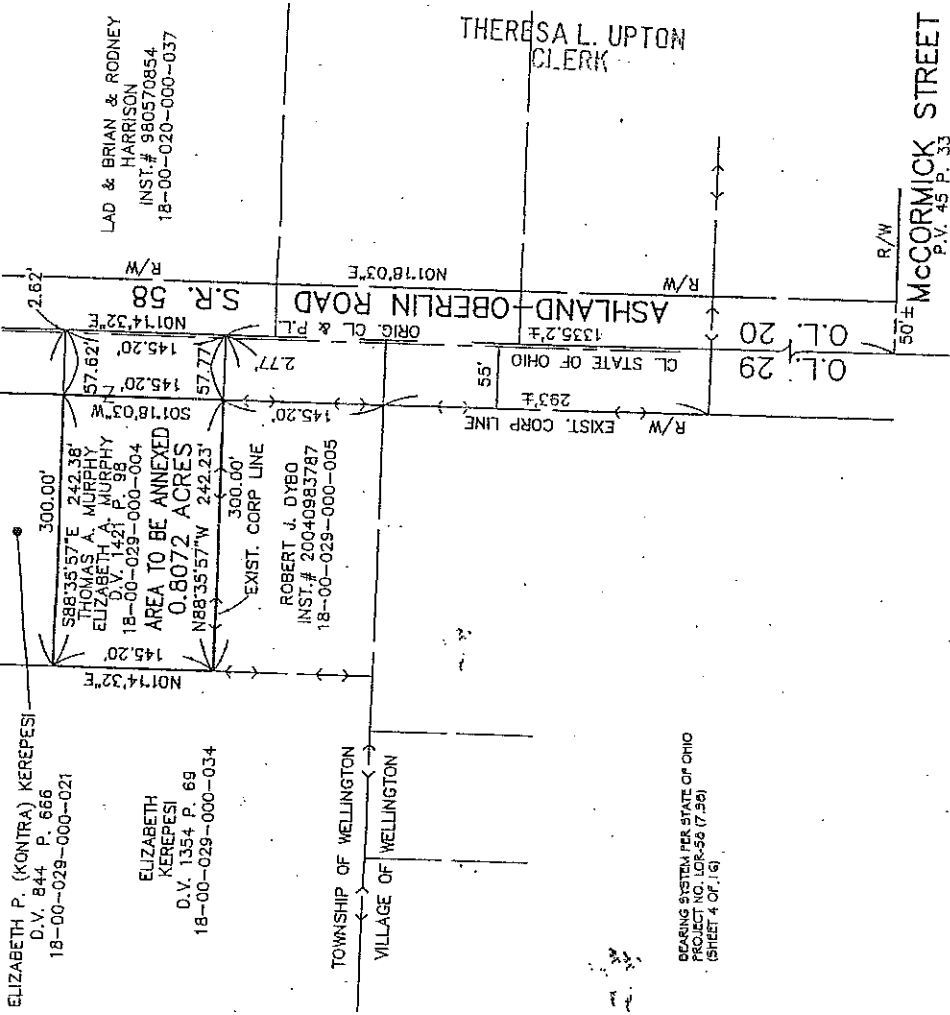
ANNEXATION MAP  
PART OF WELLINGTON TOWNSHIP  
ORIGINAL LOT NO. 29  
TOWNSHIP OF WELLINGTON  
COUNTY OF LORAIN  
STATE OF OHIO

JOB NO. 04155  
DATE: 08-21-04

**HS**  
HS ASSOCIATES  
240 Burns Rd, Suite 100  
Elyria, Ohio 44035  
Phone: (419) 245-7700  
mobile@hsassoc.com  
www.hsassoc.com



DAVID L. ELWELL, REG. SURVEYOR NO. 6333



ELIZABETH P. (KONTRA) KEREPESI  
D.V. 844 P. 666  
18-00-029-000-021

ELIZABETH  
KEREPESI  
D.V. 1354 P. 69  
18-00-029-000-034

THOMAS A. MURPHY  
D.V. 1424 P. 98  
18-00-029-000-004  
AREA TO BE ANNEXED  
0.8072 ACRES

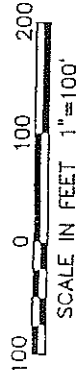
ROBERT J. DYBO  
INST.# 20040983787  
18-00-029-000-005

THOMAS A. & ELIZABETH A. MURPHY  
20464 S.R. 58  
WELLINGTON, OHIO 44090  
18-00-029-000-004

ELIZABETH KEREPESI  
20426 S.R. 58  
WELLINGTON, OHIO 44090  
18-00-029-000-034 &  
18-00-029-000-021

LAD & BRIAN & RODNEY HARRISON  
820 NORTH MAIN STREET  
WELLINGTON, OHIO 44090  
18-00-020-000-037

MAILING ADDRESSES  
ROBERT J. DYBO  
38569 CALAAN DR.  
ELYRIA, OHIO 44035  
18-00-029-000-005



DEASING SYSTEM PER STATE OF OHIO  
PROJECT NO. LOR-56 (7.56)  
(SHEET 4 OF 16)



PETITION FOR ANNEXATION

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Permanent Parcel No.: 18-00-29-000-004

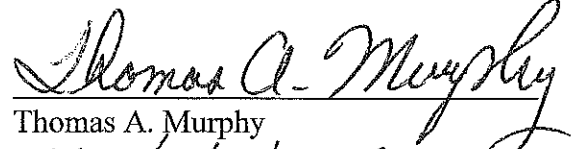
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LORAIN COUNTY  
COMMISSIONERS

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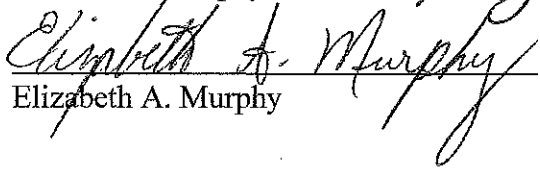
THE TOWN CLERK

The name of the person to act as agent for the undersigned petitioners is James N. Taylor, Esq., Taylor, Breunig & Robinson Co., L.P.A., 409 East Avenue, Suite B, Elyria, Ohio 44035, Telephone: (440) 323-5700, Fax: (440) 284-2818.

Date: 8/5/04

  
Thomas A. Murphy

Date: 8/5/04

  
Elizabeth A. Murphy

**LIST OF OWNERS OF PROPERTY ADJACENT TO AND DIRECTLY ACROSS THE  
ROAD FROM PETITIONERS, THOMAS A. MURPHY AND ELIZABETH A. MURPHY**

Elizabeth P. (Kontra) Kerepesi  
18-00-029-000-021  
18-00-029-000-034  
20426 S.R. 58  
Wellington, OH 44090

Lad & Brian & Rodney Harrison  
18-00-020-000-037  
820 North Main Street  
Wellington, OH 44090

Robert J. Dybo  
18-00-029-000-005  
39569 Calann Drive  
Elyria, OH 44035

LORAIN COUNTY COMMISSIONERS  
226 MIDDLE AVENUE 4TH FL  
ELYRIA, OH 44035