



LORAIN COUNTY

Board Of Commissioners

Betty Blair

Ted Kalo

Lori Kokoski

Administrator

James R. Cordes
440-329-5760

Acting Clerk Of Board
Theresa Upton
440-329-5103

Ombudsman
Larry Allen
440-329-5488

Solid Waste Director
Daniel Billman
440-329-5442

Children & Family Council Director
Juan Molina Crespo
440-284-4467

Projects Manager
Karen Davis
440-329-5102

Human Resources Department
440-329-5150

Golden Acres Administrator
William Glowacki
440-988-7210

E-9-1-1 Director
Robin Jones
440-329-5444

Emergency Management Agency and
Homeland Security Director
Thomas Keller
440-329-5117

Office on Aging Director
Patricia Littleton
440-329-4818

Charles Berry Bridge Supervisor
Charles Mackin
440-244-2137

Dog Warden
440-526-5997

Purchasing Director
Yvonne Newton
440-329-5240

Workforce Development Director
William Ogle
440-284-1830

Office Services Acting Supervisor
Jennifer L. Demich
440-329-5115

Budget Director
John Rokasy
440-329-5525

Information Technology and
Telecommunications Director
Ernie Smith
440-329-5786

Maintenance Supervisor
Ralph Smugala
440-329-5116

Community Development Director
Ronald F. Twining
440-328-2323

Records Center Supervisor
Lynn Wallace-Smith
440-326-4866

Lorain County Transit Acting Director
Thomas Ferguson
440-329-5545

April 6, 2005

City of Oberlin
c/o Eugene F. Simon, Clerk
85 S. Main Street
Oberlin, Ohio 44074

Dear Eugene F. Simon:

Enclosed is a second corrected copy of Resolution No. 05-167B, adopted by the granting an Expedited Type 1 Annexation Petition of 10.74 acres from Pittsfield Township, Ohio to the City of Oberlin, Ohio. Agent, James N. Taylor.

Please note this correction is under II and shall read "will be excluded from the Township and become part of the City of Oberlin for all purposes", not "will not be excluded."

Sincerely,

Theresa L. Upton
Clerk

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Enclosure

Cc: Attorney James N. Taylor
James R. McConnell, Clerk, Pittsfield Township
Mark Stewart, LC Auditor/Attn: Rosemary Wirth
Ken Carney, LC Engineer
Judy Nedwick, LC Recorder
Tom McNair, Tax Map
Greg Stempowski, Board of Elections
Robin Jones, 9-1-1 Director
File

RESOLUTION NO. 05-167B

In the matter of granting an Expedited Type 1)
Annexation Petition of 10.74 acres from) February 17, 2005
Pittsfield Township, Ohio to the City of)
Oberlin, Ohio. Agent, James N. Taylor)

WHEREAS, a petition and map for annexation of 10.74 acres from Pittsfield Township to the City of Oberlin were filed with the Clerk of Board of Commissioners of Lorain County, Ohio on February 15, 2005 by Attorney James N. Taylor, as agent for the petitioners; and

WHEREAS, the petition, map and description was forwarded to the Engineer and Auditor for their reviews; and

WHEREAS, Ken Carney, Lorain County Engineer by letter dated February 16, 2004 submitted the following:

“We have reviewed the description along with the map for the proposed annexation of 10.74 acres in original lots 15 and 14 in Pittsfield Township to the City of Oberlin.

We have two (2) concerns with the annexation:

The first is: the annexation to the centerline of S.R. 58 by Resolution No. 95-235, Part “C”, if the annexation will result in different political subdivisions on each side of the road, the right-of-way of the road should be excluded from the annexation. This would effect the description of parcel -008 and parcel owned by the Ritchie’s, proposed to be annexed.

The second is: the annexation to the north property line of parcel 009, from the west property line of parcel 009 to the west property line of parcel owned by Scott, Carol L. and A. Scott (III) Ritchie’s, Trustees, recorded in Volume 1269, Page 241 of the Lorain County Records by Resolution No. 95-235, Part “B”, if the annexation would result in the same political subdivision on both sides of the road. The entire road should be included in the annexation. Previous annexations were to the north line of U.S. 20 opposite parcel 009 which would leave a strip of Township land between said north line of U.S. 20 and the north lines of Parcels 008 and 009 and the proposed annexation would be contiguous to Oberlin.

Please contact this office if you have any further questions.

Sincerely yours, S/Ken Carney, Lorain County Engineer”; and

WHEREAS, said petition was filed as an Expedited Type 1 Annexation as authorized under R.C. 709.022 and the Board of Commissioners met on February 17, 2005, the next regular session following filing of the petition;

WHEREAS, Assistant County Prosecutor Innes said this Expedited Type 1 annexation does not require a hearing. The petition has been signed by all owners, a map and legal description were received along with the agent and an annexation agreement. The Engineer reviewed the documents and brought this to the attention;

He stated that the area in orange (roadway isolated in township) and green area (1/2 road being annexed) engineer said the road should be uniformed. There was an agreement in 1991 for this annexation and the new annexation laws were passed in 2001, which causes a little gap allowing this odd situation to be created. The annexation agreement does state that the orange area will be maintained by the City and green area with City of Oberlin and Wellington Fire.

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Concerns have been raised by the Engineer and Mr. McConnell. The petitioner and the agreement has attempted to remedy situation, but in accordance with the annexation laws, the Board must move forward.; and

WHEREAS, Mr. Mark McConnell, Township Trustee said the issues the Township has will be discussed further with the City safety services. As to who will service the intersection in case of accident and fire, etc., because right now it would be 50/50 with Wellington and it needs to have more clarity; and

WHEREAS, Attorney Eric Bruening on behalf of Agent Taylor said the agreement is ok but needs further discussion relating to the services and all other areas have been stipulated too.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that upon review of the documents submitted, the following findings are made:

The Petition contains the signatures of all the property owners in the territory to be annexed.

1. The Petition contains an accurate legal description of the perimeter of the territory proposed to be annexed.
2. The Petition contains an accurate map or plat of the territory proposed to be annexed.
3. The Petition contains the name of the person acting as statutory agent for the petitioners.
4. Filed with the Petition is a list of all the tracts, lots or parcels in the territory proposed to be annexed together with all the tracts, lots or parcels located adjacent to the territory to be annexed or directly across the road, including the name and mailing address of each owner and the permanent parcel number of each parcel.
5. Filed with the Petition is an Annexation Agreement between the City of Oberlin and the Board of Trustees of Pittsfield Township.

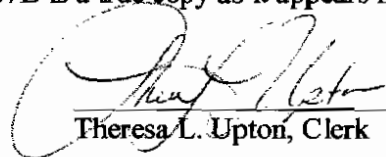
BE IT FURTHER RESOLVED that:

- I. Upon the findings that all of the conditions of annexation as contained in Revised Code Section 709.022 have been met, the Petition as presented is granted, incorporating the Annexation Agreement between the City of Oberlin and the Board of Trustees of Pittsfield Township.

- II. Herein the annex area will be excluded from the Township and become part of the City of Oberlin for all purposes.
- III. The Clerk be directed to enter the resolution upon the journal of the Board and send a certified copy of the record (including all resolutions, the petition, the map and all other papers on file to the Clerk of the City of Oberlin.

Motion made by Kokoski, seconded by Blair to adopt Resolution. Ayes: All.
Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 05-167B is a true copy as it appears in Journal No. 05 on date of February 17, 2005.



Theresa L. Upton, Clerk