

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.