

# 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 Kelley  
440-329-5117

Office on Aging Director  
Patricia Littleton  
440-329-4818

Charles Berry Bridge Supervisor  
Charles Mackin  
440-244-2137

Dog Warden  
440-326-5997

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

March 15, 2005

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

Dear Eugene F. Simon:

Enclosed is a complete transcript of the granted Expedited Type 1 Annexation of 10.74 acres from Pittsfield Township to the City of Oberlin, Ohio.

This annexation was granted February 17, 2005 by Resolution No. 05-167B, Attorney James N. Taylor, Agent.

Sincerely,

Theresa L. Upton  
Clerk

tl

Enclosure

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

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 Elyria and the Board of Trustees of Eaton 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 not be excluded from the Township
- 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

•-003  
60.00 A.

•-006  
35.20 A.

• -017  
38.71 A

460  
•014  
21 A.  
492.97  
460

•-002  
11.00 A.

•-009  
8.30 A.

26  
•-013  
68.79 A.

787.75  
•-002  
5.00 A.  
787.75  
276.5  
276.5  
256.95  
•-010  
4.28 A.  
606.57  
247.67  
117.25  
174.69  
141.72  
115.23

•-003  
0.80 A.

RD  
484.67  
23.67  
354.71  
•-015  
4.84 A.  
389.56  
232.07  
235.07  
593.47  
209.97  
205.79  
216.77  
232.08  
216.38  
•-016  
1.06 A.  
209.51  
209.95  
216.02  
444.83  
•-011  
2.15 A.  
446.93

60

58

20

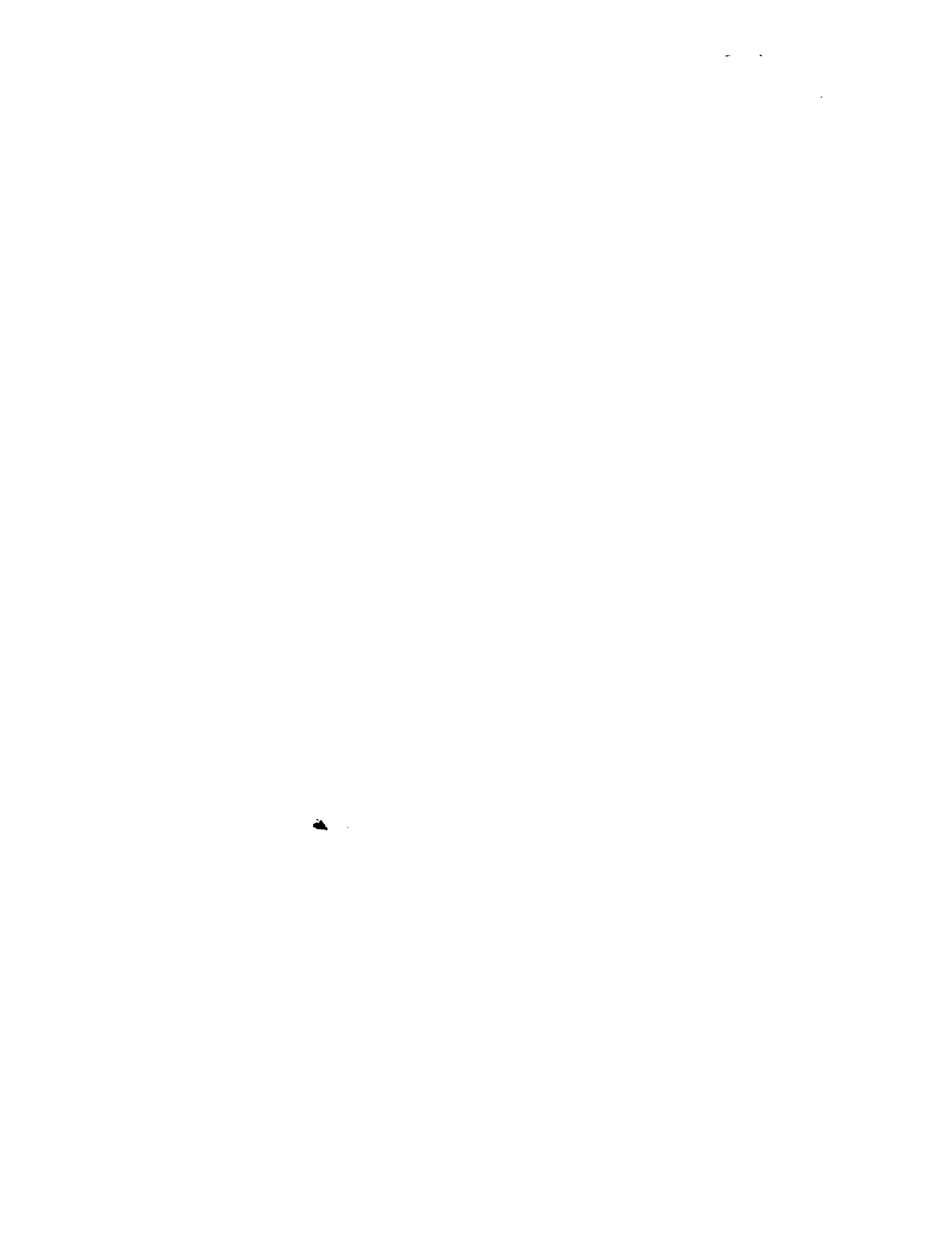
S.R.

THERESA L. UPTON  
MAY

2005 FEB 15 P 3:06

PLANNING  
DEPARTMENT  
CITY OF  
MAY

•-006  
1.08 A.



05-167B

CERTIFICATE OF FILING  
RECEIVED  
LORAIN COUNTY  
COMMISSIONERS

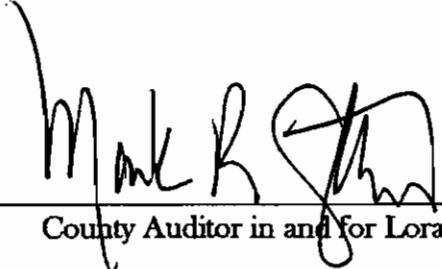
2005 FEB 17 P 3 33

State of Ohio )  
                          )ss  
Lorain County )

THERESA L. UPTON  
CLERK

I, Mark R. Stewart, the duly elected, qualified and acting Auditor in and for the  
County and State Aforesaid, do hereby certify that Janice Mokosh  
the duly elected/appointed, qualified and acting Secretary  
in and for said Board of Commissioners of Lorain County, Ohio and ex-officio  
Fiscal Officer for said District, has this day officially filed in the office of the Auditor of  
Lorain County a certified copy of proposed Annexation  
Providing for an Expedited Type 1 petition, legal description and map for the proposed  
Annexation of approximately 10.74 acres of land located at 46023 US Route 20, Oberlin,  
Ohio to the City of Oberlin, Ohio. James N. Taylor, is Agent for Petitioners.

WITNESS my hand and Official Seal at Elyria, Ohio, this 17<sup>th</sup> day of  
February, 2005

  
\_\_\_\_\_  
County Auditor in and for Lorain County, Ohio





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.



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 Elyria and the Board of Trustees of Eaton Township.

BE IT FURTHER RESOLVED that:

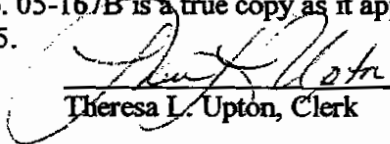
- I. Upon the findings that all of the conditions of annexation as contained in Revised Code Section 709.022 have been met, the Petition as presented is granted, incorporating the Annexation Agreement between the City of Oberlin and the Board of Trustees of Pittsfield Township.



- II. Herein the annex area will not be excluded from the Township
- 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



B.15

RESOLUTION NO. 95-235

In the matter of amending )  
 Resolution No. 68-156 adopted )  
 by the Board of Commissioners )  
 on February 26, 1968 with )  
 reference to the policy of ) March 16, 1995  
 filing annexation petitions )

BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that we do and hereby amend Resolution No. 68-156 adopted February 26, 1968 regarding the policy of filing Annexation petitions, which resolution is to read as follows:

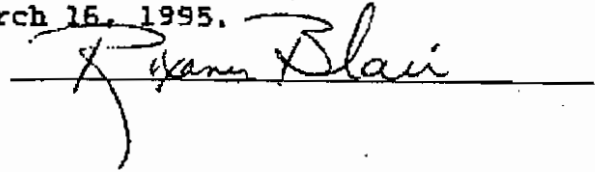
- a. A map of the area shall be signed by a registered surveyor or engineer
- b. If the annexation would result in the same political subdivision on both sides of the road, the entire road should be included in the annexation
- c. If the annexation will result in different political subdivisions on each side of the road, the right-of-way of the road should be excluded from the annexation
- d. That within ten (10) days following the twenty (20) day withdrawal period, the maps will be reviewed by the County Engineer as to their accuracy.

FURTHER BE IT RESOLVED that the above policy shall become effective March 16, 1995.

The foregoing resolution was introduced upon a motion by Commissioner Herbert J. Jacoby, seconded by Commissioner Mary Jo Vasi, and upon roll call, the vote taken thereon resulted as follows: both voted in favor of the motion. Commissioner Elizabeth C. Blair absent on vacation leave.

Motion carried.

I, Roxann Blair, Clerk to the Board of Commissioners of Lorain County, Ohio, hereby certify that this is a true copy of resolution no. 95-235 as it appears in Journal No. 95 on the date of March 16, 1995.







RECEIVED  
LORAIN COUNTY  
CLERK  
709:022

**PETITION FOR ANNEXATION**  
**EXPEDITED TYPE 1 PROCEEDING - R.C. 709.022**

The undersigned, being one hundred percent (100%) of the property owners in the area proposed to be annexed, such property being contiguous to the City of Oberlin, Ohio, hereby petition the Board of Commissioners of Lorain County, Ohio, for annexation of the property located at 46023 U.S. Route 20, Oberlin, Ohio 44074 and further described below, to the City of Oberlin, Ohio:

Situated in the Township of Pittsfield, County of Lorain and State of Ohio: and being known as part of Original Pittsfield Township Lot No. 26, and bounded and described as follows: Beginning at the Northeast corner of Original Pittsfield Township Lot No. 26; thence South 89 deg. 54' 43" West along the Northerly line of Original Lot No. 26, a distance of 148.92 feet to an iron pin set, said point being the principal place of beginning; thence South 0 deg. 49' 43" West, a distance of 495.54 feet to an iron pin set on the Northerly line of land conveyed to Darl L. and Doris Hendricks as recorded in Volume 738, Page 173 of Lorain County Deed Records, thence North 89 deg. 58' 17" West along the Hendricks' Northerly line, a distance of 731.20 feet to an iron pin found set at the Southeast corner of premises conveyed to Marion N. Glynn as recorded in Volume 303, Page 592 of Lorain County Deed Records; thence North 1 deg. 03' 43" East along Glynn's Easterly line, a distance of 494.09 feet to a point in the Northerly line of Original Lot No. 26; said line passes through an iron pin found set 54.38 feet Southerly from the Northerly line of Original Lot No. 26; thence North 89 deg. 54' 43" East along the Northerly line of Original Lot No. 26, a distance of 729.21 feet to the principal place of beginning. Containing within said bounds 8.293 acres of land, be the same more or less, as surveyed by Kleinoeder-Schmidt & Associates, Consulting Engineers & Surveyors, in January of 1985.

**Permanent Parcel No. 14-00-026-000-009**

Situated in the Township of Pittsfield, County of Lorain and State of Ohio: being known as part of Original Pittsfield Township Lot No. 26, and bounded and described as follows: Beginning at the northeast corner of Original Pittsfield Township Lot No. 26; Thence South 0 deg. 48' 57" West along the easterly line of Original Lot No. 26, a distance of 495.84 feet to the northeast corner of premises conveyed to Darl L. & Doris Hendricks as recorded in Volume 738, Page 173 of Lorain County Deed Records; Thence North 89 deg. 58' 17" West along the Hendricks' northerly line, a distance of 149.02 feet to an iron pin set; said line passes through an iron pin found set 50.91 feet off the easterly line of Original Lot No. 26; Thence North 0 deg. 49' 43" East, a distance of 495.54 to an iron pin set on the northerly line of Original Lot No. 26; Thence North 89 deg. 54' 43" East along the



northerly line Original Lot No. 26, a distance of 148.92 feet to the place of beginning; Containing within said bounds 1.695 acres of land, being the same more or less, but subject to all legal highways, as surveyed by Kleinoeder-Schmidt & Associates, Consulting Engineers & Surveyors, in January of 1985.

**Permanent Parcel No.: 14-00-026-000-008**

Situated in the Township of Pittsfield, County of Lorain and State of Ohio. Being known as part of Original Pittsfield Township Lot No. 15 and part of land conveyed to A. Scott Ritchie, Carol L. Ritchie, and A. Scott Ritchie III, Trustees, et al as recorded in Volume 1269, Page 241 of Lorain County Official Records; said area being more definitely described as follows:

Beginning at the southeasterly corner of Original Pittsfield Township Lot No. 15, said point being also the southeasterly corner of the aforesaid parcel conveyed to A. Scott Ritchie, Trustee, et al; said point being also the intersection of the original centerline of the Kipton-East Road and the original centerline of the Ashland-Oberlin Road;

Thence South 89° 56' 02" West in the southerly line of Original Lot No. 15 and A. Scott Ritchie's southerly line, a distance of 209.97 feet to A. Scott Ritchie's southwesterly corner;

Thence North 1° 02' 17" East in A. Scott Ritchie's westerly line, a distance of 144.38 feet to a point in the northerly right-of-way line of the Kipton-East Road, also known as U.S. Route No. 20; said northerly right-of-way line being also the existing southerly corporation line of the City of Oberlin;

Thence North 83° 29' 37" East in the northerly right-of-way line of U.S. Route 20 and existing southerly corporation line of the City of Oberlin, a distance of 211.76 feet to a point in the easterly line of Original Pittsfield Township Lot No. 15 and a point in A. Scott Ritchie's easterly line;

Thence South 1° 02' 17" West in the easterly line of Original Lot No. 15 and in A. Scott Ritchie's easterly line, a distance of 168.13 feet to the place of beginning;

Enclosing an area containing 0.7530 acre of land but subject to all legal highways.

The above description was prepared from data appearing in Volume 1269, Page 241 of Lorain County Official Records and Ohio Department of Transportation right-of-way plans for U.S. Route 20 and denoted "S.H. 866" dated 1938, Page 10 of 17. ]

The undersigned further request that the Board follow the procedures specified in Ohio Revised Code Section 709.022. A certified copy of the annexation agreement evidencing the consent of the City of Oberlin and the Township of Pittsfield is attached hereto.



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.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE IS ALSO NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

**THE MOHRMAN FAMILY PARTNERSHIP**

Date: 2-10-05

Janet M. Mohrman  
Janet M. Mohrman

Date: 2-10-05

Julie B. Smith  
Julie B. Smith

Date: 2-10-05

Paul B. Smith  
Paul B. Smith

Date: 2-10-05

Connie L. Bradley  
Connie L. Bradley

Date: 2-10-05

Norman P. Bradley  
Norman P. Bradley

Date: 2/10/05

Forrest A. Mohrman  
Forrest A. Mohrman

Date: 2-10-05

Barbara J. Mohrman  
Barbara J. Mohrman

Date: 2/15/05

Daniel W. Wright  
Daniel W. Wright, attorney-in-fact under Power of Attorney dated April 8, 2003, of A. Scott Ritchie, Co-trustee of the A. Scott Ritchie Trust, Under Declaration of Trust Dated August 8, 1980, as amended



Date: 2/15/05

Daniel W. Wright  
Daniel W. Wright, attorney-in-fact under Power of Attorney dated April 8, 2003, of Carol L. Ritchie, Co-trustee of the A. Scott Ritchie Trust, Under Declaration of Trust Dated August 8, 1980, as amended

Date: 2/15/05

Daniel W. Wright  
Daniel W. Wright, attorney-in-fact under Power of Attorney dated April 8, 2003, of A. Scott Ritchie, III, Co-trustee of the A. Scott Ritchie Trust, Under Declaration of Trust Dated August 8, 1980, as amended

Date: 2/15/05

Daniel W. Wright  
Daniel W. Wright, attorney-in-fact under Power of Attorney dated May 29, 2003, of Anthony E. Szambecki, Trustee of the Anthony E. Szambecki Revocable Trust, Under Restatement of Trust Agreement Dated December 21, 1993

Date: 2/15/05

Daniel W. Wright  
Daniel W. Wright





°-003  
60.00 A.

°-006  
35.20 A.

°-017  
38.71 A

°-002  
11.00 A.

°-009  
8.30 A.

26  
°-013  
68.79 A.

787.75  
°-002  
5.00 A.  
787.75  
847.64  
°-010  
4.28 A.  
606.57  
256.95  
276.5  
276.5  
11725.246.69  
141.72  
115.23  
241.07

°-003  
0.80 A.

354.71  
°-015  
4.84 A.  
389.56  
232.07  
235.07  
593.47  
209.97  
216.38  
°-016  
1.06 A.  
209.51  
205.79  
216.77  
232.08  
205.83  
205.02  
215 A.  
446.93  
446.93

RD.



60  
492.97  
60  
60  
43.70  
4.15  
29.45  
°-008 1.70 A.  
495.84  
495.84

14  
A.

THERESAL UPTON  
CLERK

2005 FEB 15 P 3:06

RECEIVED  
LORAIN COUNTY  
COMMISSIONERS

140<sup>00</sup>mw  
mailed in

°-006 1.08 A.



**ORDINANCE NO. 05-34 AC CMS**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY  
10.74 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION  
OF THE OWNERS, THE MOHRMAN FAMILY PARTNERSHIP AND  
A. SCOTT RITCHIE TRUST**

**WHEREAS, a petition for the annexation of certain territory containing approximately 10.74 acres of land within Pittsfield Township was duly filed by the property owner, the Mohrman Family Partnership and A. Scott Ritchie Trust; and**

**WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on February 17, 2005; and**

**WHEREAS, said Board of Commissioners has approved the annexation of the territory to the City of Oberlin, as hereinafter described; and**

**WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Clerk of Council who received same on March 16, 2005; and**

**WHEREAS, sixty (60) days from the date of that filing have now elapsed in accordance with the provisions of Section 709.04 of the Ohio Revised Code.**

**NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:**

**SECTION 1. That the application of the property owner, the Mohrman Family Partnership and A. Scott Ritchie Trust, for the annexation of the following described territory in the County of Lorain and adjacent to the City of Oberlin, to wit:**

**Property located at 46023 U.S. Route 20, Oberlin, Ohio 44074:**

**Situated in the Township of Pittsfield, County of Lorain and State of Ohio; and being known as part of Original Pittsfield Township Lot No. 26, and bounded and described as follows:**

**Beginning at the Northeast corner of Original Pittsfield Township Lot No. 26, a distance of 148.92 feet to an iron pin set, said point being the principal place of beginning; thence South 0 deg. 49' 39" West, a distance of 495.54 feet to an iron pin set on the Northerly line of land conveyed to Darl L. and Doris Hendricks as recorded in Volume 738, Page 173 of Lorain County Deed Records, thence North 89 deg. 58' 17" West along the Hendricks' Northerly line, a distance of 731.20 feet to an iron pin found set at the**

Southeast corner of premises conveyed to Marion N. Glynn as recorded in Volume 303, Page 592 of Lorain County Deed Records; thence North 1 deg. 03' 43" East along Glynn's Easterly line, a distance of 494.09 feet to a point in the Northerly line of Original Lot No. 26; said line passes through an iron pin found set 54.38 feet Southerly from the Northerly line of Original Lot No. 26; thence North 89 deg. 54' 43" East along the Northerly line of Original Lot No. 26, a distance of 729.21 feet to the principal place of beginning. Containing within said bounds 8.293 acres of land, be the same more or less, as surveyed by Kleinoeder-Schmidt & Associates, Consulting Engineers & Surveyors, in January of 1985.

**Permanent Parcel No. 14-00-026-000-009**

Situated in the Township of Pittsfield, County of Lorain and State of Ohio: being known as part of Original Pittsfield Township Lot No. 26, and bounded and described as follows:

Beginning at the northeast corner of Original Pittsfield Township Lot No. 26; Thence South 0 deg. 48' 57" West along the easterly line of Original Lot No. 26, a distance of 495.84 feet to the northeast corner of premises conveyed to Darl L. & Doris Hendricks as recorded in Volume 738, Page 173 of Lorain County Deed Records; Thence North 89 deg. 58' 17" West along the Hendricks' northerly line, a distance of 149.02 feet to an iron pin set; said line passes through an iron pin found set 50.91 feet off the easterly line of Original Lot No. 26; Thence North 0 deg. 49' 43" East, a distance of 495.54 to an iron pin set on the northerly line of Original Lot No. 26; Thence North 89 deg. 54' 43" East along the northerly line of Original Lot No. 26, a distance of 148.92 feet to the place of beginning. Containing within said bounds 1.695 acres of land, being the same more or less, but subject to all legal highways, as surveyed by Kleinoeder-Schmidt & Associates, Consulting Engineers & Surveyors, in January of 1985.

**Permanent Parcel No. 14-00-026-000-008**

Situated in the Township of Pittsfield, County of Lorain and State of Ohio. Being known as part of Original Pittsfield Township Lot No. 15 and part of land conveyed to A. Scott Ritchie, Carol L. Ritchie, and A. Scott Ritchie III, Trustees, et al as recorded in Volume 1269, Page 241 of Lorain County Official Records, said area being more definitely described as follows:

Beginning at the southeasterly corner of Original Pittsfield Township Lot No. 15, said point being also the southeasterly corner of the aforesaid parcel conveyed to A. Scott Ritchie, Trustee, et al; said point being also the intersection of the original centerline of the Kipton-East Road and the original centerline of the Ashland-Oberlin Road;

Thence South 89° 56' 02" West in the southerly line of Original Lot No. 15 and A. Scott Ritchie's southerly line, a distance of 209.97 feet to A. Scott Ritchie's southwesterly corner;

Thence North 1° 01' 17" East in A. Scott Ritchie's westerly line, a distance of 144.38 feet to a point in the northerly right-of-way line of the Kipton-East Road, also known as U.S. Route No. 20; said northerly right-of-way line being also the existing southerly corporation line of the City of Oberlin;

Thence North 83° 29' 37" East in the northerly right-of-way line of U.S. Route 20 and existing southerly corporation line of the City of Oberlin, a distance of 211.76 feet to a point in the easterly line of Original Pittsfield Township Lot No. 15 and a point in A. Scott Ritchie's easterly line;

Thence South 1° 02' 17" West in the easterly line of Original Lot No. 15 and in A. Scott Ritchie's easterly line, a distance of 168.13 feet to the place of beginning;

Enclosing an area containing 0.7530 acre of land but subject to all legal highways.

The above description was prepared from data appearing in Volume 1269, Page 241 of Lorain County Official Records and Ohio Department of Transportation right-of-way plans for U.S. Route 20 and denoted "S.H. 866" dated 1938, Page 10 of 17.

SECTION 2. That said territory so annexed is hereby zoned "R-1A", pursuant to Section 1329.03 of the Codified Ordinances of the City of Oberlin, and is hereby subject to all conditions stipulated under such district and all other regulations and restrictions of the City of Oberlin now or hereinafter promulgated.

SECTION 3. That the Clerk of Council is hereby authorized and directed to make three (3) copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to Mark R. Stewart, Lorain County Auditor, one copy to Daniel J. Talarek, Lorain County Recorder, and one copy to Kenneth Blackwell, Secretary of State, and shall file notice of this annexation with the Lorain County Board of Elections within thirty (30) days after it becomes effective, and shall do all other things required by law therein.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in

meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 5.** That this ordinance shall take effect at the earliest date allowed by law.

**PASSED:** 1<sup>st</sup> Reading – May 16, 2005  
2<sup>nd</sup> Reading – June 6, 2005  
3<sup>rd</sup> Reading – June 20, 2005 (Effective in 30 days)

**ATTEST:**

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

**POSTED:** June 20, 2005

**EFFECTIVE DATE:** July 20, 2005

α:/ORD05-34.MohrmanAnnexation

