



# LORAIN COUNTY

## Board Of Commissioners

Betty Blair

Ted Kalo

Lori Kokoski

### Administrator

James R. Cordes  
440-329-5760

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  
440-329-5130

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  
440-328-2325

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

Lorain County Transit General Manager  
Thomas Ferguson  
440-329-5545

May 2, 2005

Karen Webb, Clerk  
Village of Wellington  
115 Willard Memorial Square  
Wellington, Ohio 44090

Dear Ms. Webb:

Enclosed is a complete transcript of the granted Municipal Owed Land Annexation of 155.289 acres from Wellington Township to the Village of Wellington, Ohio.

Also enclosed is an executed copy of the Jones Road Maintenance Agreement.

This annexation was granted on March 31, 2005 by Resolution No. 05-265, Attorney Stephen Bond, Agent.

Sincerely,

A handwritten signature in cursive script, appearing to read "Theresa L. Upton", is written over a faint, larger version of the same signature.

Theresa-L. Upton  
Clerk

tlu

Enclosure

Cc: Attorney Stephen Bond, Agent  
Bernie Nirode, Clerk, Wellington Township  
Ken Carney, LC Engineer  
Mark Stewart, LC Auditor/Attn: Rosemary Wirth  
Judy Nedwick, LC Recorder  
Tom McNair, LC Tax Map  
Greg Stempowski, Board of Elections  
Robin Jones, Director 9-1-1  
File

#2.

JOURNAL ENTRY

Decision on a Municipal Owned Land Annexation Petition  
of 155.289 acres from Wellington Township to the Village of Wellington  
Attorney Stephen Bond, Agent

This was the day duly noted for the decision on the Decision on a Municipal Owned Land Annexation Petition of 155.289 acres from Wellington Township to the Village of Wellington - Attorney Stephen Bond, Agent.

Attorney Bond said this annexation is the same area that was brought forth to the board and denied a few weeks ago. This petition that has been filed is substantially reduced territory, which is the two parcels that are the eastern most already owned by the Village. There is only 155 acres and under the new statute 709.016(B) if the only territory to be annexed is contiguous territory owned by a municipal corporation the Board of County Commissioners by resolution shall grant the annexation. Nothing about the other issues that relate to other annexations. The Engineer Office by letter dated March 9, states the parcels proposed to be annexed are adjacent and contiguous to the Village and a letter from March 21, from Engineer's Office that the description does follow the map and both correctly describe the area of land proposed to be annexed. As they have read the statute, they have complied with the only issue there is. The last time, there was a question about road maintenance. Under the statute the road maintenance is not an issue for this type of annexation, nevertheless they have approved a road maintenance agreement and adopted by an ordinance of the Village Council and signed by the Administrator and submitted to Assistant County Prosecutor Innes and approves to the text and have no problem entering into this agreement in order to have this issue not be an issue as well. Based on this, they respectfully request that these two parcels be brought into the Village of Wellington.

Commissioner Blair asked if these two parcels were #1 and #2 as indicated on the map. Mr. Bond said yes.

Assistant County Prosecutor Innes said the statements made by Mr. Bond are correct and the documents that were submitted, even though they have not been required too. The maintenance agreement has been reviewed and sent the original to the Engineers office for their signatures and then it will need the Commissioners signatures once approved. The land is contiguous and the Engineer has indicated the map and legal description are since all requirements are meet the Board of Commissioners are required to approve this annexation.

The following resolution was adopted:

RESOLUTION NO. 05-265

In the matter of granting the Municipal Owned Land )  
Annexation Petition of 155.289 acres from Wellington )  
Township to the Village of Wellington - Attorney )  
Stephen Bond, Agent )

March 31, 2005

WHEREAS, A Municipal Owned Land Annexation Petition and Map were filed in the Board of Commissioners received by the Clerk on March 1, 2005 for the proposed Annexation of approximately 155.289 acres in Wellington Township to the Village of Wellington, Ohio; and

WHEREAS, letters were issued to Mark Stewart, Lorain County Auditor and Kenneth P. Carney, Lorain County Engineer asking for review and accuracy of the Petition and Map (There is no requirement to send these documents to the Auditor or Engineer, but did so as information status); and

WHEREAS, Resolution No. 05-212, adopted March 10 received and journalized this Petition and scheduled a decision on the proposed annexation on Commissioners agenda for March 31, 2005 (which is the 30<sup>th</sup> day); and

WHEREAS, Engineer by letter dated March 9, found an error in the second paragraph of the description. (The beginning point of the Northeast corner of original lot #36 and southeast corner of original lot #35 is also a point on the center line of Jones Road. South right of way line of Jones Rd is 30' south on west line of parcel of land conveyed to Thomas R. and Nancy A. Brown, which is the principle place of beginning. This would also make Paragraph 13 close correctly; and

WHEREAS, Auditor by letter dated March 14, stated Parcel 18-00-035-000-023 was already annexed to Village in 1987 and there was a discrepancy in the acreage being annexed. When this parcel was annexed in 1987, they included a small portion of parcel 18-00-035-000-023 along with it in error. To correct the error they are annexing the remaining acreage of this parcel to the Village; and

WHEREAS, March 22, Attorney Bond submitted a "revised" legal description. He requests this petition be granted as well as the Jones Road maintenance agreement.

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 set forth that under an ordinance of the municipality the territory describes in the petition was authorized to be annexed.
2. An accurate legal description of the perimeter of the territory proposed to be annexed.

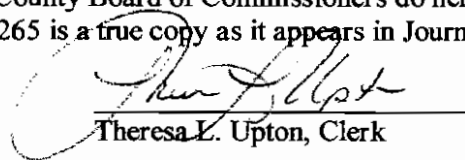
3. The Petition contains an accurate map or plat of the territory proposed to be annexed.
4. The Petition contains the name of the person acting as statutory agent for the petitioners.
5. Filed with the Petition is a Jones Road Maintenance Agreement.

BE IT FURTHER RESOLVED that:

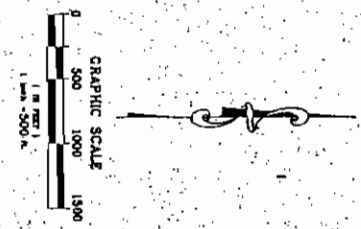
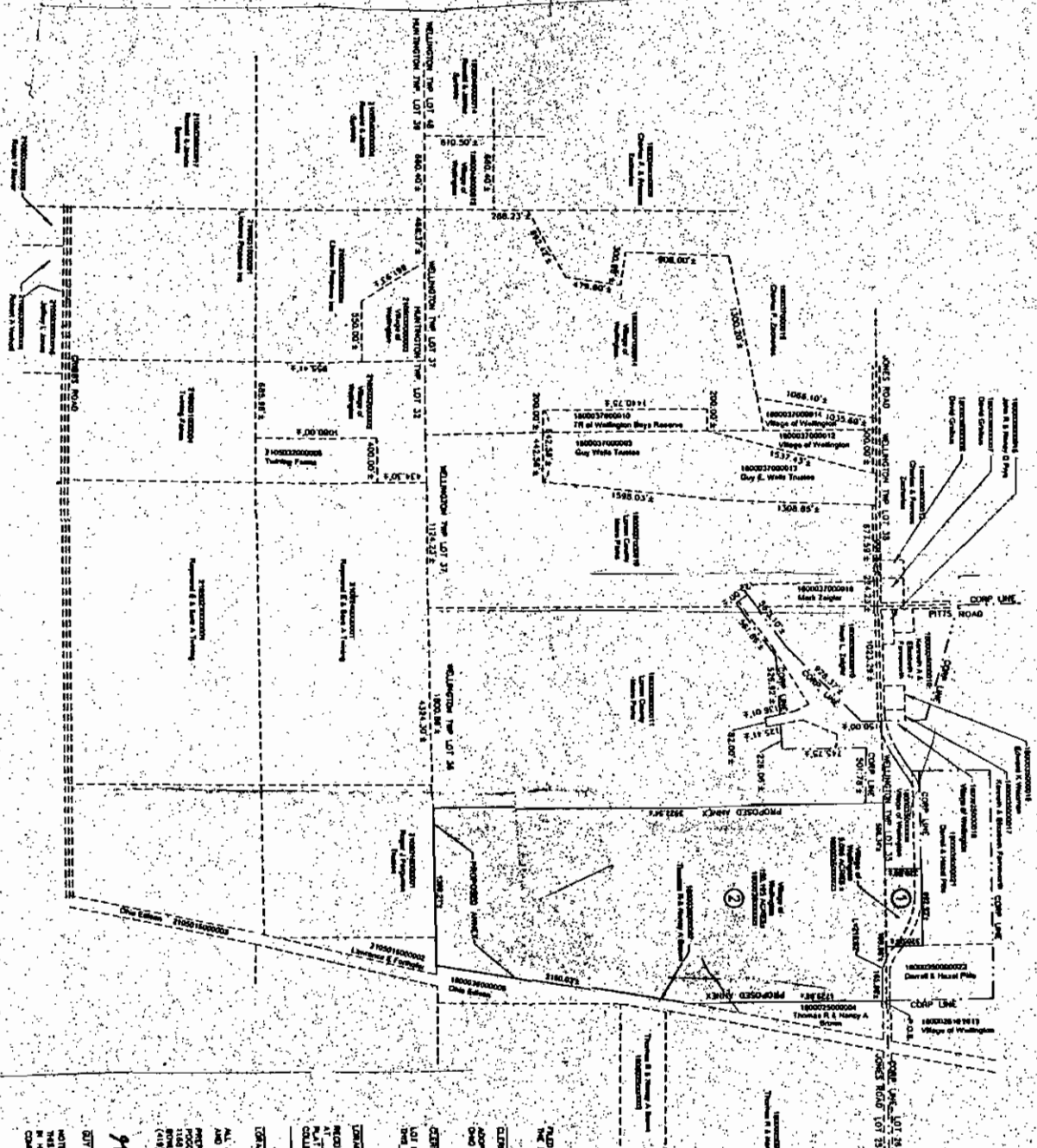
- I. Upon the findings that all of the conditions of annexation as contained in Revised Code Section 709.16 have been met, the Petition as presented is granted, incorporating the Jones Road Maintenance Agreement.
- II. Herein the annexed area shall not be excluded or removed from the Township
- III. The Clerk is 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 Village of Wellington.

Motion by Blair, seconded by Kokoski 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. 05-265 is a true copy as it appears in Journal No. 05 on date of March 31, 2005.

  
\_\_\_\_\_  
Theresa L. Upton, Clerk

**PROPOSED PLAN FOR ANNEXATION OF  
WELLINGTON TOWNSHIP LANDS  
TO THE VILLAGE OF WELLINGTON  
LORAIN COUNTY, OHIO  
155,289 AC± IN WELLINGTON TWP.**



FILED  
THE BOARD OF COUNTY COMMISSIONERS, LORAIN COUNTY  
CLERK  
ADOPTED BY THE BOARD OF THE VILLAGE OF WELLINGTON  
ON ORDINANCE NO. \_\_\_\_\_ DATE \_\_\_\_\_  
CLERK OF COURSE  
ALL NUMBER ADDED AS ADDED BY COUNCIL  
DATE \_\_\_\_\_  
LORAIN COUNTY AUDITOR  
BY DEPUTY  
RECORDED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2005  
AT \_\_\_\_\_ IN LORAIN COUNTY  
A. J. RECORDS VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ RECORDED IN FIELD  
COLLECTED FROM \_\_\_\_\_ DATE \_\_\_\_\_  
DATE \_\_\_\_\_  
LORAIN COUNTY RECORDER  
ALL ANNEXATION PLANS SUBMITTED FROM DESIGNER LEGAL DESCRIPTIONS  
AND THE SURVEY INFORMATION  
PREPARED BY  
POGGEMEYER DESIGN GROUP, INC.  
1168 NORTH MAIN STREET  
BOWLING GREEN, OHIO 43402  
(419) 352-7537  
*James W. Spindale*  
FEB 11 2005  
LORAIN COUNTY AUDITOR

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|--|--|---|--|
| <p><b>PROPOSED ANNEXATION PLAT</b></p> | <p><b>PROPOSED ANNEXATION PLAT TO THE VILLAGE OF WELLINGTON LORAIN COUNTY, OHIO.</b></p> | <p><b>POGGEMEYER DESIGN GROUP, INC.</b><br/>ARCHITECTS ENGINEERS PLANNERS<br/>1168 NORTH MAIN STREET (419) 352-7537 BOWLING GREEN, OHIO 43402</p> |  |
|--|--|---|--|

RECORDED  
LORAIN COUNTY  
COMMISSIONERS  
2005 MAR -1 A 10:28  
JAMES G. UPTON

JONES ROAD PROPOSED MAINTENANCE AGREEMENT

As part of one or more annexation proposals to be submitted to the Board of County Commissioners in connection with the real property within the territory being developed by the Lorain County Metroparks as the new Wellington Reservation, it is anticipated that a portion of Jones Road from the west line of Original Lot #26 westerly about 1,300 feet, will be part of the Village of Wellington and part Lorain County road. The easterly approximately 500 feet will be Lorain County road and the westerly approximately 800 feet will be Village Street.

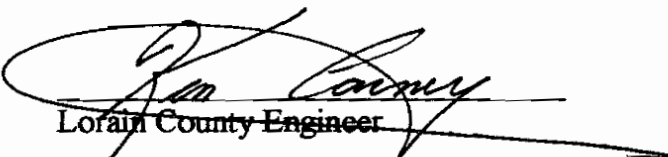
For ease of future maintenance, the Village of Wellington and the Board of Commissioners of Lorain County agree to the following:


1. The Village will maintain the entire 1,300 feet of road way from the west line of Wellington Township O.L. 26 westerly to the present Village Corporation limit. This will include signage, pavement, surface up to and including a chip and seal surface treatment, minor drainage work, driveway permits, etc.
2. On the easterly approximately 500 feet of this section of road, any road repair above a chip and seal surface or minor drainage improvement will be split 50 / 50 between the Village and the County.
3. To the extent that the same may be allowed by law, the Village agrees that, at such time as a claim might be asserted, it will save the Lorain County Board of Commissioners, its officials, agents, and employees free and harmless from any and all claims, demands, causes of action, and liability whatsoever, hereafter arising, on account of or in any way growing out of, the Village's failure in, or improper performance of, the obligations it is assuming pursuant to this Agreement.

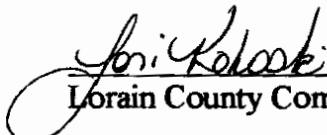
This Agreement will commence upon the approval during calendar year 2005 of an annexation petition relative to any of the land to be included within the proposed new Lorain County Metroparks Wellington Reservation.

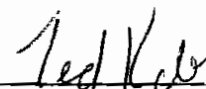
Village of Wellington

By: 

  
Lorain County Engineer

  
Lorain County Commissioner

  
Lorain County Commissioner

  
Lorain County Commissioner