

# 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  
440-329-5412

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 Lutzton  
440-329-4818

Charles Berry Budge 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  
440-328-2523

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

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

July 19, 2005

Linda S. Bales, Clerk  
Village of Grafton  
960 Main Street  
LaGrange, Ohio 44044

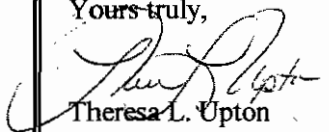
Dear Ms. Bales:

Enclosed is a complete transcript of the granted Annexation from Grafton Township to the Village of Grafton, Ohio.

This annexation was granted May 19, 2005 by Resolution No. 05-408, for 25.58 acres in Grafton Township to the Village of Grafton – Attorney James N. Taylor, Agent.

There were no appeals to this regular annexation, therefore the thirty (30) days has expired.

Yours truly,

  
Theresa L. Upton  
Clerk

tlr

Enclosure

Cc: Attorney James N. Taylor  
Mary R. Dangelo, Clerk, Grafton 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





# 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  
440-329-5150

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 Rokasz  
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 General Manager  
Thomas Ferguson  
440-329-5545

May 25, 2005

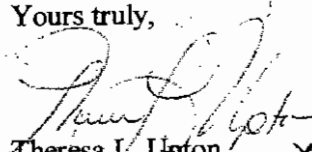
James N. Taylor, Agent  
409 East Avenue, Suite B  
Elyria, Ohio 44035

Dear Attorney Taylor:

Enclosed is a copy of Resolution No 05-408, adopted by the Lorain County Board of Commissioners on May 19, 2005 granting a regular Annexation Petition of 25.58 acres from Grafton Township to the Village of Grafton, Ohio.

If there are no appeals within thirty (30) days a complete transcript will be submitted to the Village of Grafton.

Yours truly,

  
Theresa L. Upton X  
Clerk

tlu  
Enclosure

Cc: Linda S. Bales, Clerk, Grafton Village  
Mary Dangelo, Clerk, Grafton Township  
Ken Carney, LC Engineer  
Mark Stewart, LC Auditor/Attn: Rosemary Wirth  
File

RESOLUTION NO. 05-408

In the matter of granting a regular Annexation Petition )  
of 25.58 acres from Grafton Township to the Village of ) May 19, 2005  
Grafton. Attorney James N. Taylor, Agent )

WHEREAS, a petition and map for annexation of 25.58 acres from Grafton Township to the Village of Grafton were filed with the Clerk of the Board of Commissioners on March 11, 2005 and letters were issued to County Auditor and Engineer for review and accuracy; and

WHEREAS, by Resolution No. 05-236, adopted March 17, 2005 set up this public hearing; and

WHEREAS, March 14, 2005 an amended legal description was received, based upon the letter dated March 7 from the County Engineer indicating there needed to be added lot dimensions to map and other changes; and

WHEREAS, all persons testifying were given an oath by Assistant County Prosecutor Innes according to law; and

WHEREAS, the evidence presented was tendered through stipulations of the Attorney Bruening acting on behalf of Agent James N. Taylor for Petitioners, indicating a real estate development will be built by Carrington Estates, owner, Darryl Norris, President with no evidence in opposition to the annexation being presented; and

WHEREAS, Attorney McLaughlin, representing the Township had no objections or comments; and

WHEREAS, Carl Anderson, Warden, Grafton Prison stated that the property abuts property owned by the Ohio Department of Rehabilitation and Correction. He has been in contact with the Developer, but would like to go on record stating that the State uses this back area for the firing range and the special response teams practices here as well. There is plenty of noise.

Attorney Bruening said his client is aware and will take any steps necessary in case; and

WHEREAS, Assistant County Prosecutor Innes stated that there was one minor technical flaw with the Engineer's report. This report was not dated until May 18, 2005, which it is to be recorded within 25 days prior to hearing. He would suggest the Board waive this technical flaw; and

Said Legal Description reads as follows:

Situated in the Township of Grafton, County of Lorain and State of Ohio and known as being part of Original Grafton Township Lots

Nos. 3 and 4 and bounded and described as follows:

Beginning at a point in the centerline of Elm Street which is also the lot line of Original Lot Nos. 1 and 3 of Grafton Township at the Township line between Grafton Township and Eaton Township; thence North 89° 34' 40" East along said Township line about 1474.94 feet to a point on the parcel to be annexed, which is also the north boundary lien of the Chesapeake Crossing Subdivision recorded in Lorain County Plat Records Volume 62, pages 75 and 76, which point is the

principal place of beginning; Thence North 89° 34' 40" East along the northerly line of original Grafton Lot no. 3 and along the northerly line of original Grafton Township Lot no. 4 a distance of 1667.54 feet to a parcel of land conveyed to the State of Ohio (P.P.No. 16-00-004-000-003); Thence South 01° 02' 38" West a distance of 669.95 feet to the Bishop of Cleveland by deed as record in Vol. 903, page 304 of Lorain County deed records; Thence South 89° 40' 52" West along said northerly line a distance of 166.95 feet to the southeasterly corner of the aforesaid Chesapeake Crossing Subdivision; Thence North 01° 00' 00" East along the easterly line of said subdivision, which is also the easterly line of the Village of Grafton a distance of 666.92 feet to the principal; place of beginning and containing about 25.58 acres of land, with 19.17 acres in Original Lot No. 3 and 6.41 acres in Original Lot No. 4; and

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners of Lorain County, Ohio that;

- I. The Board makes the following findings upon the resolutions of the Village of Grafton No. 05-008 setting forth services, report of the Lorain County Engineer and the stipulations of Attorney Bruening, Acting on behalf of Agent James N. Taylor for Petitioner and waive the minor technical date receiving the report of the County Engineer that:

The necessary requirements are in the record for notification and have been complied with. The petitioners are owners of the territory of property proposed to be annexed, there has been no dispute of the validity of the petitioner's signatures and those signatures constitute a majority of the territory proposed to be annexed on the date of petition. The Village of Grafton Resolution has provided a statement indicating services that are willing to provide and will provide these services upon annexation.

- A. The petition meets all the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Revised Code in that:
  1. The real estate is "contiguous" to the municipal corporation to which annexation is proposed.
  2. The petition contains:
    - a. The name of the owners, their signatures, and date each signature was obtained.
    - b. A legal description of the perimeter of the proposed territory to be annexed.
    - c. A map or plat of the proposed territory to be annexed.
    - d. The name and address of the agent for the petitioner.
    - e. Lists of all the parcels and the name and mailing address of the owners of each parcel:

1. Within the proposed territory to be annexed.
2. That lie adjacent or directly across the street from the proposed territory to be annexed.
3. That a majority of the territory proposed for annexation lies within the county.

B. The persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the petition, and, as of the time the petition was filed with The Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in that territory. In order to be valid signatures:

1. Signatures are of "owners" of property.
2. Were not obtained more than 180 days before the date the petition was filed.
3. Constitute a majority of the owners of the territory proposed for annexation.

C. The Village of Grafton to which the territory is proposed to be annexed has complied with divisions (D) of section 709.03 of the Revised Code, the requirement to adopt by ordinance or resolution a statement indicating what services will be provided upon annexation and approximate date the services will be provided.

D. No street or highway will be divided or segmented by the boundary line between Grafton Township and the Village of Grafton as to create a road maintenance problem, or, if a street or highway be so divided or segmented, the Village of Grafton has agreed, as a condition of the annexation, that it will assume the maintenance of that street or highway. For the purposes of division, "street" or "highway" has the same meaning as in section 4511.01 of the Revised Code.

II. The Board further finds the territory to be annexed is not unreasonably large based upon stipulated testimony of Agent for Petitioners that:

Said finding was supported by the evidence that:

The territory is not unreasonable large and 25.58 acres is not the largest territory this Board of Commissioners has permitted an annexation to occur. The municipality of Grafton will be able to provide services to the territory, they are not undertaking something that is unreasonable large, the shape and geographic features of the territory proposed to be annexed are regular and not unusual and are not creating any islands or peninsulas. The removal of the territory from the Township will not create a situation that the tax base of the Township to be so eroded or depleted so as to not permit the Township to continue on and provide goods and services to the township residents.

III. The Board further finds that on balance, the general good of the territory proposed to be annexed will be served, benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be amended and the surrounding area, if the annexation is granted. As used...here..."surrounding area" means the territory within the unincorporated area of any township located one-half mile or less from any of the territory proposed to be annexed.

Said finding was supported by the evidence that:

On balance, the general good of the territory proposed to be annexed, is served because of the available of certain city services to those areas, including sewers, fire, police and there is also benefits to the area to be annexed and the surrounding areas and those benefits out weight the detemrments due to the availability of utilities.

It could not be done at this point, because it would have been an increase of territory, not permitted by the statute. The annexation will provide benefit to the surrounding area through the enhancement of value of properties in the surrounding area. Final condition which we believe that has been met, is no street or highway will be divided between the Township and the municipality as to creating maintenance issues; and

IV. The Board further finds that;

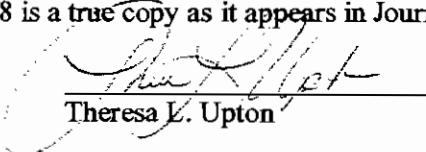
Said finding was supported by the evidence based upon stipulated testimony of Attorney Bruening, acting on behalf of Agent James N. Taylor and there were no oppositions presented by the Township Trustees; that.

BE IT FURTHER RESOLVED, that;

- I. Based upon the findings of fact that all the conditions of annexation as contained in Revised Code 709.033 have been met the petition for annexation as presented is granted and incorporating the items of the annexation agreement between Township and the Village of Grafton
- II. The Clerk be directed to enter this resolution upon the journal of the Board and send a certified copy to James N. Taylor, Agent for petitioners, Clerk of Grafton Village, and the Clerk of Township
- III. The Clerk, if no appeal is filed within thirty days of journalization of this resolution, be directed to deliver a certified copy of the entire record to the Clerk to the Village.

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. 05-408 is a true copy as it appears in Journal No. 05 on date of May 19, 2005.

  
Theresa L. Upton

