

RESOLUTION NO. 05-483

In the matter of granting the annexation of )  
13.48 acres from New Russia Township to )  
the City of Oberlin. Attorney James N. )  
Taylor, Agent )

June 9, 2005

WHEREAS, the Lorain County Board of Commissioners meet on June 9, 2005 to conduct a public hearing on the proposed Annexation of 13.48 acres from New Russia Township to the City of Oberlin. Attorney James N. Taylor, Agent; and

WHEREAS, a petition and map for annexation were filed with the Clerk of the Board of Commissioners on March 24, 2005 for a proposed regular annexation and the same was set on for public hearing on March 31, 2005 by Resolution No. 05-266, the 77<sup>th</sup> day; and

WHEREAS, letters were issued to Mark Stewart, Lorain County Auditor and Ken Carney, Lorain County engineer asking for review and accuracy of the Petition and Map; and

WHEREAS, March 28 a letter from County Auditor was received stating that these two parcels #09-00-105-000-018 and 09-00-105-000-002 are already in the City of Oberlin the later #002 was annexed to the City of Oberlin per City of Oberlin Ordinance #88-65 AC CMS on November 2, 1988. (This was only 2.76 acres of land that was annexed in accordance with Board of Commissioners Resolution No. 88-485 on June 28, 1988). The Petitioners are requesting that the total of 13.48 acres be annexed which would include the left out strips of road around the previous annexed part to be included); and

WHEREAS, April 5 received a letter from County Engineer indicating 0.79 acres in original to #105 and 12.69 in original lot #106 does accurately follow the map and is contiguous with the City of Oberlin; and

WHEREAS, the following items were received;

- a. March 28 received Certificate of Filing from County Auditor on petition
- b. April 7 received affidavit on mailing notices
- c. April 22 received Certificate of Filing from County Auditor on journalizing
- d. April 25 received Ordinance No. 05-27 AC CMS indicating services to be provided by City of Oberlin upon annexation
- e. May 4 received affidavit of public notice in Chronicle Telegram

and;

WHEREAS, June 6, 2005 Prosecutor's Office received a copy of a letter addressed to the City of Oberlin from New Russia Township dated February 9, 2005 stating they oppose this annexation, as there is a more viable solution. The Trustees suggest the formation of a JEDD formulated to the needs of Welcome Nursing Home; and

WHEREAS, Assistant County Prosecutor Innes administered an oath to all persons testifying according to law and the evidence presented was tendered through stipulations of the Attorney for Petitioner with no evidence in opposition to the annexation being presented; and