

City of
Oberlin

85 South Main Street, Oberlin, Ohio 44074
(440) 775-1531

CERTIFICATION

I, Sheri Haury, Interim Clerk of Oberlin City Council, do hereby certify that the attached is a true and correct copy of Ordinance No. 06-105 AC CMS, its annexation attachments, and transcript of proceedings from the Board of Commissioners for Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott, containing approximately 124.6016 acres.

Dated: 1/18/07

Sheri Haury
Sheri Haury, Interim Clerk
Oberlin City Council

/sh

"Ohio's Best College Town"

—OHIO Magazine

ORDINANCE NO. 06-105 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 124.6016 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNERS, JOHANNA L. GOTT, TRUSTEE, THARON GOTT AND LYNDA GOTT

WHEREAS, a petition for the annexation of certain territory containing approximately 124.6016 acres of land within Pittsfield Township was duly filed by the property owners, Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott; and

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on September 14, 2006; 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 October 10, 2006; 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 owners, Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott, for the annexation of the territory described in Exhibit A attached hereto and incorporated herein by reference in the County of Lorain and adjacent to the City of Oberlin, an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the Board of County Commissioners of Lorain County in relation thereto are on file with the Clerk of Council of the City of Oberlin, be and the same is hereby accepted.

SECTION 2. That said territory so annexed is hereby zoned in accordance with Section 1329.06 of the Codified Ordinances of the City of Oberlin, and shall be subject to the land uses and design standards applicable thereto.

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 Judy Nedwick, Lorain County Recorder, and one copy to the Ohio 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: 1st Reading – December 18, 2006
2nd Reading – January 2, 2007 (E)(A) (Waived 3 readings/effective in 30 days)
3rd Reading –

ATTEST:



Sheri Haury
INTERIM CLERK OF COUNCIL



Daniel Gardner
PRESIDENT OF COUNCIL

POSTED: January 2, 2007

EFFECTIVE DATE: February 1, 2007

α:/ORD06-106Annexation.Gott.doc

Situated in the State of Ohio, County of Lorain, Township of Pittsfield, and being all of a 15.12 acre tract in Original Lot No. 7, and that part of a 60 acre tract in Original Lot No. 6 lying westerly of the highway right of way of SR 58, of Johanna L. Gott, Tr. of the Johanna L. Gott Trust as conveyed in RN 20010756363, also being all of a 27.998 acre tract, and that part of a 22.298 acre tract lying westerly of the highway right of way of SR 58, of Tharon J. and Linda M. Gott, D.V., 1271, Pg. 89, all tracts together containing 124.6016 acres of land to be annexed to the City of Oberlin, all references to the records of the Lorain County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at an Iron pin found in a monument box in the centerline of SR 58 at Station 753+00.30 of plans for SR 58 (Lor-58-7.98) on file with the Ohio Department of Transportation District Three; thence S 0°57'55" W with said centerline, a distance of 71.66 a feet to a point at Station 752+28.64; thence, N 89°55'55" W, a distance of 55.01 feet to a ½ inch Iron rod set in the westerly right of way line of SR58 and the south line of Original Lot 6 and the TRUE POINT OF BEGINNING for this description;

Thence, continuing with the south lien of Orig. Lot No. 6, N 89°55'55" W, and with a 5 acre parcel of J. A. Machnauer and E. J. Burgess, D.V., 1288, Pg. 482 and lands of Carol Varner, O.R. 1044, Pg. 265, a distance of 2600.33 feet to a point at the southwest corner of Original Lot No. 6;

Thence, N 89°59'45" W with the south line of Original Lot No. 7 and lands of Oberlin Land Co., O.R. 83, Pg. 488, a distance of 1405.17 feet to a ¾" Iron pipe found in the east line of lands of the City of Oberlin, D.V. 1093, Pg. 888 (formerly the right of way of the Lorain & Ashland Railroad Company);

Thence, N 1°28'52" E with said lands of the City of Oberlin, a distance of 1344.18 feet (previously recorded as 1342.71 feet) to a point at the southwest corner of Oberlin Reserve Subdivision No. 3, P.V. 74, Pages 40, 41 and 42, said point referenced by a ¾" iron pipe found 0.08' south and 0.28 feet east;

Thence, N 89°35'37" E with the south line of Oberlin Reserve Subdivision No. 3, P.V. 74, Pages 40, 41 and 42, with Oberlin Reserve Subdfvision No. 2, P.V. 74, pages 37, 38 and 39, and with Oberlin Reserve Subdivision No. 1, P.V. 59, Pages 29, 30 and 31 and Blocks B and C of said subdivision, a distance of 3992.11 feet to a ½" iron rod set in the west right of way line of SR58;

PAGE 2 – EXHIBIT A – ORDINANCE NO. 06-105 AC CMS

Thence, southerly with said west right of way line the following five (5) courses:

- 1. S 0°40'01" W, a distance of 367.85 feet to a point;**
- 2. S 0°57'55" W, a distance of 585.33 feet to a point;**
- 3. S 8°05'25" W, a distance of 201.56 feet to a point;**
- 4. S 0°57'55" W, a distance of 150.00 feet to a point;**
- 5. S 18°07'42" E, a distance of 76.43 feet to a point of beginning for this description, containing 124.6016 acres of land, more or less.**

This description was prepared by John Hancock, P.S. No. 6918 from a survey conducted in July, 2006. Bearings herein are based on NAD83 (1995), State Plane Coordinate System Zone: Ohio North (3401)

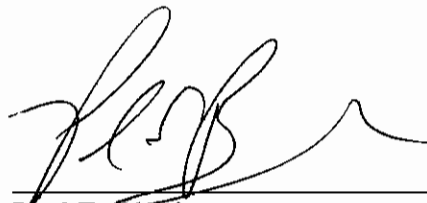
**S/John Hancock, P.S. No. 6918
August 15, 2006
File 155806**

NOTICE OF FILING OF PETITION FOR ANNEXATION

TO: Eugene F. Simon, Clerk
City of Oberlin
85 South Main Street
Oberlin, OH 44074

09-05-06 012:45

The undersigned, agent for Petitioner, hereby notifies you of the filing of the Petition for Annexation with the Board of County Commissioners for the annexation of certain land currently located near State Route 58 in Pittsfield Township, Ohio to the City of Oberlin, Ohio. The date of the filing of such Petition was September 1, 2006 at 3:36 P.M. Copies of the Petition and all accompanying documents are enclosed for your information.



Paul E. Blevins
McCray, Muzilla, Smith & Meyers Co. LPA
260 Burns Road, Suite 150
Elyria OH 44035
(440) 366-9930
Fax: (440) 366-1910
pblevins@mmsmlaw.com

Dated: September 5, 2006

COPY

PETITION FOR ANNEXATION OF LAND TO THE CITY OF OBERLIN FROM THE TOWNSHIP OF PITTSFIELD (WITH ANNEXATION AGREEMENT)

To: Lorain County Board of Commissioners

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being all of the owners of the real property described in Exhibit A, attached hereto and made a part hereof, hereby petition the Board of Commissioners of Lorain County, Ohio to cause the property, as identified in Exhibit A, to be annexed to the City of Oberlin, Ohio following the special procedures provided by Section 709.022 of the Ohio Revised Code.

A full description and accurate map of the plat of the property sought to be annexed are set forth in Exhibits B and C, respectively, both attached hereto and made a part hereof.

As aforesaid, the owners of the property sought to be annexed and addresses are set forth on Exhibit A. All of the owners of the property subject to this petition for annexation have consented to the petition and are signers thereon for the annexation of said property. A list of all properties adjacent to those sought to be annexed is also being filed with the Board of Commissioners under separate cover.

This Petition is further presented, pursuant to Section 709.022 of the Ohio Revised Code, for expedited processing under the terms of an Annexation Agreement between the City of Oberlin and Pittsfield Township. A certified copy of said Annexation Agreement is attached hereto as Exhibit D.

The names of the persons to act as agents for the undersigned petitioners are Paul E. Blevins, McCray, Muzilla, Smith and Meyers, Co. LPA, 260 Burns Road, Suite 150, Elyria, Ohio 44035, Phone No. (440) 366-9930, Fax No. (440) 366-1910, who can be emailed at pblevins@mmsmlaw.com and John Hancock, John Hancock & Associates, Inc., 326 E. Market Street, Sandusky, Ohio 44870, Phone No. (419) 625-7838.

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 UNDER LAW OR EQUITY.

Johanna L. Gott Trustee
Johanna L. Gott, Trustee
609 Wenner Street
Wellington, OH 44090

Date: 9/1/16

RECEIVED
LORAIN COUNTY
COMMISSIONERS
2006 SEP - 1 P 3:36
RESA L. UPTON
CLERK

Tharon Gott

Tharon Gott
16380 Rt. 58, South
Oberlin, OH 44074

Date: 9/1/06

Lynda Gott

Lynda Gott
16380 Rt. 58, South
Oberlin, OH 44074

Date: 9/1/06