



LORAIN COUNTY

Board Of Commissioners

Lori Kokoski Ted Kalo Betty Blair

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
Ken Kelleher
440-284-4467

Projects Manager
Karen Davis
440-329-5102

Human Resources Department
440-329-5150

Golden Acres Administrator
Jeri Dull
440-988-7210

E-9-1-1 Director
Robin Jones
440-329-5444

Emergency Management
& 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

Animal Control Officer
J. A. Szlempa Sr.
440-326-5997

Purchasing Director
Yvonne Newton
440-329-5240

Workforce Development Director
Vivian Alexander
440-284-1830

Office Services Supervisor
Jennifer L. Demich
440-329-5115

Budget Director
Lisa Hobart
440-329-5201

IT Director
Ernie Smith
440-329-5786

Maintenance Director
Dennis Shawver
440-329-5326

Community Development Director
Ronald F. Twining
440-328-2323

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

Lorain County Transit Manager
Thomas Ferguson
440-329-5545

December 1, 2006

Village of Grafton
960 Main Street
Grafton, Ohio 44044

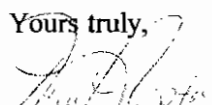
Dear Clerk Linda Bales;

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

This annexation was granted September 21, 2006 by Resolution No. 06-719, for 0.630 acres in Grafton Township to the Village of Grafton – Attorney Stephen P. Bond, Agent.

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

Yours truly,


Theresa L. Upton
Clerk

tlu

Enclosure

Cc: Attorney Stephen P. Bond
Mary Dangelo, Financial Officer, Grafton Township
Mark Stewart, LC Auditor/Attn: Rosemary Wirth
Kenneth P. Carney, LC Engineer
Judy Nedwick, LC Recorder
Tom McNair, Tax Map
Alex Heyd, Board of Elections
Robin Jones, Director 9-1-1
Gerald A. Innes, LC Assistant Prosecutor
File

B.

RESOLUTION NO. 06-719

In the matter of granting a regular Annexation Petition)
of 0.630 acres from Grafton Township to the Village of) September 21, 2006
Grafton – Attorney Stephen Bond – Agent)

WHEREAS, the Lorain County Board of Commissioners meet on September 21, 2006 to conduct a public hearing on the proposed Annexation of 0.630 acres from Grafton Township to the Village of Grafton – Attorney Stephen Bond – Agent; and

WHEREAS, a petition and map for annexation of 0.630 acres from Grafton Township to the Village of Grafton were filed with the Clerk of the Board of Commissioners on July 17, 2006 and the same was set for public hearing on September 21, 2006 (66th day), by Resolution No. 06-576 on July 20, 2006; and

WHEREAS, all persons testifying were given an oath according to law and the evidence presented was tendered through stipulations of Attorney Stephen Bond, Agent for Petitioners; Richard P. and Nicole M. Dietz with no evidence in opposition to the annexation being presented.

Said Legal Description reads as follows:

Situated in the Township of Grafton, County of Lorain, and State of Ohio: and being known as a part of Original Grafton Township Lot No. 19 and bounded and described as follows: Beginning at a point on the South line of said Lot. No. 19 (being also the center of Crook Road, so called); said point being also the Southeast corner of land in said lot once owned by Frank and Molly Gidlin; thence in a straight line measured along the Southerly line of said Lot No. 19, and the center of Crook Road a distance of 100 ft.; thence due North measured along the Eastern boundary line of property once owned by Fred and Florence Eady 271.92 feet; thence due East and parallel with the Southerly line a distance of 100 ft.; thence along the Easterly boundary of land once owned by Frank and Molly Gidlin back to the place of beginning. This lot being 10 feet from East to West and extending North and South a distance of 371.92 ft., between parallel lines, but subject to all legal highways.

(Permanent Parcel No. 16-00-019-102-018)

The afore-mentioned property is adjacent and contiguous to the said Village of Grafton. Petitioners have attached hereto and made a part of this Petition a map showing the accurate boundaries of the territory sought to be annexed and marked "Map of Proposed Annexation of Grafton Township Lands to the Village of Grafton, Lorain County, Ohio."

Petitioners state that they are a majority of the owners of the real estate in the territory sought to be annexed, as if evidenced by the photocopies of deeds to said premises attached hereto and incorporated herein as if fully rewritten.

Stephen P. Bond, Attorney, 5455 Detroit Road, Sheffield, Ohio 44054, is hereby appointed as the agent for the undersigned petitioners as required by Section 709.02 of the Revised Code, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, compromise, increase, or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without the future expressed consent of the petitioners.

PETITIONERS:

S/Richard P. Dietz
36650 Estee Lane
Grafton, Ohio 44044
Date: 7-9-06

S/Nicole M. Dietz
36650 Estee Lane
Grafton, Ohio 44044
Date: 7-9-06

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 by Resolution No. 06-018, report of the Lorain County Engineer and the stipulations of Attorney Stephen Bond, Agent for Petitioners and Grafton Township 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 Ordinance had 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 Bond that:

Said finding was supported by the evidence that:

The territory is not unreasonable large and 0.630 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 annexed 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 detriments 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 Agent Bond for Petitioners and there was no opposition present from the Township Trustees that:

BE IT FURTHER RESOLVED, that;

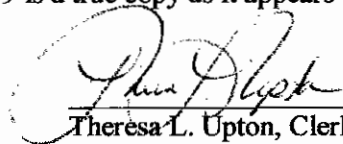
I. Based upon the findings of fact that all the conditions of annexation as contained in Revised Code 709.033 have been met the petition for annexation as presented is granted and incorporating the items of the annexation agreement between Grafton Township and the Village of Grafton

II. The Clerk be directed to enter this resolution upon the journal of the Board and send a certified copy to Stephen Bond, Agent for petitioners, Clerk of Grafton Village, and the Financial Officer of Grafton 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 Village of Grafton

Motion by Kokoski, seconded by Kalo 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. 06-719 is a true copy as it appears in Journal No. 06 on date of September 21, 2006.



Theresa L. Upton, Clerk