



Lori Kokoski Sharon Sweda Matt Lundy

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Elyria, OH 44035-5641  
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Mike Longo  
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KEN CARNEY  
LORAIN COUNTY ENGINEER

February 20, 2020

Attorney Joshua E. Lamb  
5750 Cooper Foster Park Road  
Suite 102  
Lorain, Ohio 44053

Dear Attorney Lamb:

Enclosed is Resolution No. 20-129, adopted by the Lorain County Board of Commissioners on February 19, 2020 receiving and journalizing the proposed Expedited 1 Annexation of 36.5672 acres from Pittsfield Township to the City Oberlin, Ohio

You are said Agent for Petitioner Brian S. Wade, Omega Health Services

The Lorain County Board of Commissioners has scheduled a decision on the proposed Annexation if all conditions are met, to be placed on their agenda at 9:30 a.m., on Tuesday, March 3, 2020.

Sincerely,

Theresa L. Upton  
Clerk

tlu  
Enclosure

cc. Pittsfield Township  
City of Oberlin  
Gerald A. Innes, LC APA  
Ken Carney, LC Engineer  
Craig Snodgrass, LC Auditor  
File



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RESOLUTION NO. 20-129

In the matter of receiving and journalizing an )  
Expedited 1 Annexation of 36.5672 acres from )  
Pittsfield Township to the City Oberlin, Ohio )  
- Attorney Joshua E. Lamb, Agent for Petitioner)  
Brian S. Wade, Omega Health Services )

February 19, 2020

WHEREAS, the Lorain County Board of Commissioners received and journalizes a petition and map that was received in the Commissioners Office on February 11, 2020 for the proposed expedited 1 annexation of approximately 36.5672 acres of land in the Township of Pittsfield to the City of Oberlin, Ohio; and

WHEREAS, Attorney Joshua E. Lamb, Agent for Petitioner Brian S.. Wade, Omega Health Services; and

WHEREAS, the Petition reads as follows:

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

To: Lorain County Board of Commissioners  
226 Middle Avenue, 4<sup>th</sup> Floor  
Elyria, Ohio 44035

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being the sole legal owner of the real property located at 14868 State Route 58, Oberlin, Ohio 44074, P.P.N., 14-00-015-000-006 (the "Property"), which is contiguous and adjacent to the City of Oberlin, hereby petitions the Board of Commissioners for Lorain County to cause the Property to be annexed to the City of Oberlin, Ohio, following the special procedures provided by Section 709.022 of the Ohio Revised Code.

An accurate legal description of the Property to be annexed to the City of Oberlin is attached hereto as Exhibit A and is made a part hereof. An accurate map of the Property sought to be annexed is set forth in Exhibit B, which is attached hereto and made a part hereof.

Pursuant to O.R.C. §709.02(D), the list of the owner of the Property to be annexed to the City of Oberlin is set forth in Exhibit C, which is attached hereto and made a part hereof. The undersigned is the sole owner of the Property sought to be annexed. All the owners of the Property subject to this petition for annexation have consented to this petition and have executed the same.

Pursuant to O.R.C. §709.02(D), a list of all properties adjacent to and/or directly across the street from the Property sought to be annexed are contained in Exhibit C hereto (including but not limited to the name and mailing address of each owner and the permanent parcel number of the relevant properties).

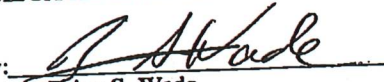
This Petition is further presented, pursuant to O.R.C. §709.022, for expedited processing under the terms of the Annexation Agreement between the City of Oberlin and Pittsfield Township. A certified copy of the Annexation Agreement between the City of Oberlin and Pittsfield Township is attached hereto as Exhibit D and made a part hereof.



The name of the person to act as agent for the undersigned petitioner is Joshua E. Lamb, Trigilio, Stephenson & Dattilo, PLL, 5750 Cooper Foster Park Road, Suite 102, Lorain, Ohio 44053, Telephone No. (440) 988-9500, Fax No. (440) 988-9511, who can be emailed at [jlamb@tsohiolaw.com](mailto:jlamb@tsohiolaw.com)

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

OMEGA HEALTH SERVICES, LLC

By:   
Brian S. Wade

Date: January 16, 2020

Its: Manager

Exhibit A - Legal Description reads as follows:

**ANNEXATION LEGAL DESCRIPTION  
OF  
14868 NORTH ASHLAND OBERLIN ROAD  
PARCEL NO. 14-00-015-000-006**

Situated in the Township of Pittsfield, County of Lorain and State of Ohio and known as being part of the Original Pittsfield Township Lot No. 15 and further bounded and described as follows:

Beginning at the northeasterly corner of Original Pittsfield Township Lot No. 15, being the northeasterly corner of land described to John A. Machnauer and Elizabeth J. Burgess by the deed dated August 31, 1981 and recorded in O.R. Volume 1288, Page 482 of Lorain County Records, said corner being on the original centerline of North Ashland Oberlin Road (State Route 58) (width varies);

Thence South 01°02'19" West along the original centerline of North Ashland Oberlin Road and the easterly line of the Original Pittsfield Township Lot No. 15 and the easterly line of land so described to John A. Machnauer and Elizabeth J. Burgess and the easterly line of lands described to David P. Ransome by the deed dated April 23, 1996 and recorded in O.R. Volume 1257, Page 632 of Lorain County Records and the easterly line of land described to HPCL Inc. Trs. by the deed dated August 29, 2013 and recorded in Document No. 2013-0476800 of Lorain County Records, 533.45 feet to the Principal Place of Beginning of the premises herein described;

Thence South 01°02'19" West continuing along the original centerline of North Ashland Oberlin Road and the easterly line of the Original Pittsfield Township Lot No. 15, 149.27 feet to northeasterly corner of land described to David R. Gibson and Glenn Turnbull by the deed dated June 1, 2006 and recorded in Document No. 2006-0146458 of Lorain County Records;

Thence South 89°21'19" West along the northerly line of land so described to David R. Gibson and Glenn Turnbull passing through a ¾" iron pipe found (0.31 feet north and 0.06 feet west) on the westerly right of way of North Ashland Oberlin Road at 46.81 feet, 450.00 feet to a 5/8" iron pin set;

Thence South 01°02'19" West along the westerly line of land so described to David R. Gibson and Glenn Turnbull, 80.00 feet to a 5/8" iron pin set on a southerly corporation line of the Township of Pittsfield and a northerly corporation line of the City of Oberlin at the northerly line of land described to Devicchio Investments LLC by the deed dated July 27, 2018 and recorded in the Document No. 2018-0681386 of Lorain County Records;



Thence South 89°21'19" West along the southerly corporation line of the Township of Pittsfield and the northerly corporation line of the City of Oberlin and the northerly line of land so described to Devicchio Investments LLC passing through a 5/8" iron pin found and capped (KS Associates) at northeasterly corner of land described to Wal-Mart Real Estate Business Trust by the deed dated October 27, 2005 and recorded in Document No. 2005-0106897 of Lorain County Records at 317.70 feet and passing through a 5/8" iron pin found and capped (KS Associates) at northeasterly corner of land described to the Oberlin Land Company by the deed recorded in O.R. Volume 83, Page 488 of Lorain County Records at 1658.70 feet, 2197.48 feet to a 1" iron pin found on a westerly line of the Original Pittsfield Township Lot No. 15 and a westerly corporation line of the Township of Pittsfield and the easterly corporation line of the City of Oberlin;

Thence North 00°37'00" East along the westerly line of the Original Pittsfield Township Lot No. 15 and the westerly corporation line of the Township of Pittsfield and the easterly corporation line of the City of Oberlin and the easterly line of land so described to the Oberlin Land Company, 795.63 feet to a 3/4" iron pin found at the northwesterly corner of the Original Pittsfield Township Lot No. 15 and the southwestwesterly corner of land described to the Huron County Holdings LLC by the deed dated December 15, 2015 and recorded in Document No. 2015-0569463 of Lorain County Records;

Thence South 89°55'51" East along the northerly line of the Original Pittsfield Township Lot No. 15 and a northerly corporation line of the Township of Pittsfield and a southerly corporation line of the City of Oberlin and the southerly line of land so described to Huron County Holdings LLC, 1864.82 feet to a 3/4" iron pipe found (0.48 feet north and 0.05 feet east) at the northwesterly corner of land so described to said John A. Machnauer and Elizabeth J. Burgess;

Thence South 01°02'19" West along the westerly line of land so described to John A. Machnauer and Elizabeth J. Burgess and an easterly corporation line of the Township of Pittsfield and the westerly corporation line of the City of Oberlin, 276.50 feet to a 5/8" iron pin set on the northerly line of land so described to said David P. Ransome;

Thence North 89°55'51" West along the northerly line of land so described to David P. Ransome, 59.89 feet to 3/4" iron pipe found;

Thence South 01°02'19" West along the westerly line of land so described to David P. Ransome, 256.95 feet to 5/8" iron pin set;

Thence South 89°55'51" East along the northerly line of land so described to David P. Ransome and passing through a 3/4" iron pipe found (0.02 feet south and 0.17 feet east) at 606.57 feet and passing through a 3/4" iron pipe found (0.81 feet south and 0.34 feet east) on the westerly right of way of North Ashland Oberlin Road at 803.92 feet, 847.64 feet to the original centerline of North Ashland Oberlin Road at the Principal Place of Beginning and containing 36.5672 acres of land of which 0.1554 acres are within the right of way of North Ashland Oberlin Road as surveyed and described by Edward B. Dudley, P.S. No. 6747, of the Riverstone Company in August 2019, and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company PS6747-PS8646"

Intent: The intent of this survey and legal description is for the parcel of land located at 14868 North Ashland Oberlin Road (State Route 58) being Parcel No. 14-00-015-000-006 which is 36.5672 acres (1,592,866 square feet) and situated in the Township of Pittsfield to be annexed with the City of Oberlin.

Basis of Bearings: The new centerline of North Ashland Oberlin Road as North 00°58'25" East as shown in the Boundary Survey and Parcel Split Map as surveyed by Trevor A. Bixler, PS No. 7730 of KS Associates in September 2005 (Lorain County Survey Number 35844)

Deed of Reference: Land described to Omega Health Services LLC by the deed dated February 2, 2017 and recorded in Document No. 2017-0617386 of Lorain County Records;

  
Edward B. Dudley \_\_\_\_\_ P.S. No. 6747 \_\_\_\_\_ Date  
September 11, 2019







Exhibit B is the map; and

Exhibit C is the list of owners of property to annexed as follows

**EXHIBIT "C"**

**INFORMATION RELATING TO OWNER OF REAL PROPERTY  
SOUGHT TO BE ANNEXED**

| Owner's Name and Address  | Permanent Parcel Number | Total Acreage of Property to be Annexed |
|---|-------------------------|---|
| Omega Health Services, LLC<br>14868 State Route 58<br>Oberlin, Ohio 44074 | 14-00-015-000-006       | 36.5672                                 |

**LIST OF NAMES AND ADDRESSES OF OWNERS OF PROPERTY ADJACENT  
TO AND DIRECTLY ACROSS THE STREET FROM PETITIONER**

| Owner's Name and Mailing Address   | Permanent Parcel Number |
|--|-------------------------|
| Oberlin Land Company<br>839 S. Western Run<br>Youngstown, Ohio 44514   | 14-00-014-000-004       |
| Oberlin Land Company<br>839 S. Western Run<br>Youngstown, Ohio 44514   | 14-00-015-000-021       |
| Wal-Mart Real Estate Business Trust<br>P.O. Box 8042<br>Bentonville, AR 72716<br><br>and<br>46440 U.S. Route 20<br>Oberlin, Ohio 44074 | 14-00-015-000-018       |
| Board of Park Commissioners, Lorain County Metropolitan Park District<br>12882 Diagonal Road<br>LaGrange, Ohio 44050                   | 14-00-007-000-005       |
| Huron County Holdings LLC<br>10715 State Route 60<br>Wakeman, Ohio 44889   | 14-00-006-000-003       |
| DeVicchio Investments LLC<br>839 S. Western Run<br>Youngstown, Ohio 44514  | 14-00-015-000-027       |
| HPCL, Inc., Trustee of the MFG Irrevocable Trust dated April 23, 2013<br>230 Third Street #200<br>Elyria, Ohio 44035<br><br>and        | 14-00-015-000-009       |

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|  |                   |
|--|-------------------|
| 14858 State Route 58<br>Oberlin, Ohio 44074  |                   |
| David P. Ransome<br>14848 State Route 58<br>Oberlin, Ohio 44074  | 14-00-015-000-010 |
| John A. Machnauer and Elizabeth J. Burgess<br>128 Shipherd Circle<br>Oberlin, Ohio 44074<br><br>and<br><br>14800 State Route 58<br>Oberlin, Ohio 44074   | 14-00-015-000-002 |
| David R. Gibson and Lorna J. Gibson, Co-Trustees, or any successor trustee, of the David R. Gibson Trust dated November 30, 2019 and Glenn Turnbull<br>20 Hawthorne Drive<br>Oberlin, Ohio 44074<br><br>and<br><br>14880 State Route 58<br>Oberlin, Ohio 44074 | 14-00-015-000-003 |
| Robert A. Hanmer, Trustee,<br>John T. McGrann, Jr., David A. McGrann<br>832 Breezewood Lane<br>Vermilion, Ohio 44089   | 14-00-016-000-032 |
| Glenn A. Turnbull and Robin V. Turnbull<br>14797 State Route 58<br>Oberlin, Ohio 44074<br><br>and<br><br>46661 State Route 20<br>Oberlin, Ohio 44074   | 14-00-016-000-001 |

**Exhibit D – City of Oberlin Ordinance No. 06-71 AC CMS – Annexation Agreement**

**CERTIFIED COPY**

I Belinda B. Anderson, the duly appointed, qualified and acting Clerk of Council, for said City of Oberlin of Lorain County, Ohio, do hereby certify that attached is a true and correct copy of Ordinance No. 06-71 AC CMS, as adopted on September 18, 2006.

**ORDINANCE No. 06-71 AC CMS**  
AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT BETWEEN THE BOARD OF TRUSTEES OF PITTSFIELD TOWNSHIP, LORAIN COUNTY, OHIO, AND THE CITY OF OBERLIN, OHIO

Witness my hand and Official Seal at Oberlin, Ohio this 30<sup>th</sup> day of January 2020.

(Seal)

*Belinda B. Anderson*  
Clerk of Oberlin City Council



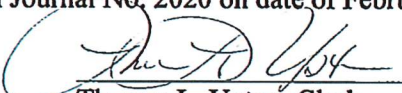
WHEREAS, the County Auditor and Engineer have been notified to review and advise on their findings as to the accuracy of said petition.

NOW, THEREFORE BE IT RESOLVED, the Lorain County Board of Commissioners has scheduled a decision to be placed on their agenda for Tuesday, March 3, 2020

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken, thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None.

Motion carried.

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 20-129 is a true copy as it appears in Journal No. 2020 on date of February 19, 2020



Theresa L. Upton, Clerk





