

Sponsored by:

ORDINANCE NO. 2003-34

**STRATEGIC  
PLANNING:**

- E. Burkhard
- F. Bullocks
- P. Blevins
- L. Tanner
- G. Gibbs
- C. Gersak
- W. Ogle
- H. Larkins
- J. Baird

AN ORDINANCE ACCEPTING THE PETITION OF BILLY S. ROWLAND TRUST, BILLY S. ROWLAND, TRUSTEE, FOR ANNEXATION TO THE CITY OF ELYRIA OF 58.32 ACRES OF LAND, SITUATED IN ELYRIA TOWNSHIP.

BE ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE OF OHIO:

SECTION 1: That the petition of Billy S. Rowland Trust, Billy S. Rowland, Trustee approved by the Lorain County Commissioners under Resolution 02-892B and received by the Clerk of Council's office on December 19, 2002 for the annexation to the City of Elyria of 58.32 acres of land, situated in Elyria Township, and described in Exhibit "A" attached hereto and made a part hereof as if fully rewritten herein, be and the same is hereby accepted.

SECTION 2: It is hereby determined by the Council of the City of Elyria that the land described in Exhibit "A" shall be a part of Ward 2 of the City.

SECTION 3: That the Clerk of Council shall make three (3) copies containing the petition, the map or plat accompanying the Petition, a transcript of the proceedings of the Board of County Commissioners, and resolutions and ordinances in relation to the annexation, with a certificate to each copy that is correct. Such certificate shall be signed by the Auditor or Clerk in his official capacity, and shall be authenticated by the seal of the municipal corporation, if there is any. The Auditor or Clerk shall forthwith deliver one such copy to the County Auditor and one such copy to the County Recorder, who shall make a record thereof in the proper book of records and preserve it. The other copy shall be forwarded by the Auditor or Clerk to the Secretary of State.

CERTIFICATION  
I HEREBY CERTIFY THAT THIS IS AN EXACT AND  
TRUE COPY OF Ordinance 2003-34

*Arthur J. Weber*  
ARTHUR J. WEBER, CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

2-19-03  
DATE

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in meetings open to the public, in compliance with Ohio law.

SECTION 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 2/18/03 E. Kenneth Burkhard  
E. Kenneth Burkhard, President

ATTEST: Arthur J. Weber APPROVED: 2/18/03  
Arthur J. Weber, Clerk

William M. Grace  
William M. Grace, Mayor

DATE: 2-19-03

Approved as to form:

Terry S. Shilling 02-12-03  
Terry S. Shilling, Law Director

#### CERTIFICATE OF PUBLICATION

I, THE UNDERSIGNED CLERK OF COUNCIL OF THE CITY OF ELYRIA, OHIO, HEREBY CERTIFY THAT THE FULL TEXT OF THE FOREGOING ORDINANCE NO. 2003- 34 WAS POSTED IN THREE PLACES WITHIN THE CITY AS DETERMINED BY COUNCIL, AND THAT SUCH PLACES WERE AS FOLLOWS: CITY HALL, CENTRAL FIRE STATION, AND THE POLICE STATION.

DATED: 2/18/03

Arthur J. Weber  
CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

Date presented to the Mayor: 2/19/03

AMENDED PETITION FOR ANNEXATION

To: Board of County Commissioners  
of Lorain County, Ohio

The undersigned, being the owners seized of a freehold estate in the within described territory, and being the majority of the owners of the real estate as hereinafter more fully described, do hereby petition for the annexation of said territory to the City of Elyria, Lorain County, Ohio, to wit;

Situated in the Township of Elyria, County of Lorain, and State of Ohio. Being known as part of Original Elyria Township Lots Nos. 35, 36, 41, and 42, West of Black River, and more definitely described as follows:

Beginning at the intersection of the westerly sideline of Lake Avenue and the northerly sideline of Edison Court as shown by the plat of Westview Allotment No. 1 as recorded in Volume 13, Page 31 of Lorain County Plat Records;

Thence westerly in the northerly sideline of Edison Court as shown by the above referenced plat and the plat of Westview Allotment No. 2 as recorded in Volume 14, Page 7 and Westview Allotment No. 3 as recorded Volume 14, Page 36 of Lorain County Plat Records, a distance of about 1234.53 feet to the southwesterly corner of Sublot No. 34 in the last referenced allotment; said point is the principal place of beginning;

Thence southerly in the westerly line of Westview Allotment No. 3, a distance of 50.00 feet to a point in the southerly sideline of Edison Court;

Thence easterly in the southerly sideline of Edison Court, a distance of 15.00 feet to a point 20 feet distant westerly from the northwesterly corner of Sublot No. 35 in the referenced allotment;

Thence southerly in a line parallel with and 20 feet distance westerly from the westerly line of said Sublot No. 35, a distance of about 126.72 feet to the southeasterly corner of "Parcel No. 2" conveyed to Billy S. Rowland as recorded in Volume 86, Page 67 and 71 of Lorain County Official Records and a point in the existing corporation line of the City of Elyria;

Thence westerly in the southerly line of said "Parcel No. 2" and in the southerly line of "Parcel No. 3" conveyed to Billy S. Rowland as recorded in Volume 85, Pages 67 and 71 of Lorain County Official Records and partially in the existing corporation line of the City of Elyria, passing through an angle point in said corporation line where it extends southerly along the line between Original Lots Nos. 42 and 35, a distance of about 1341.10 feet to the northeasterly corner of a 29.81 acre parcel now or formerly owned by the Billy S. Rowland Trust;

Thence southerly in the westerly line of said 29.81 acre parcel, a distance of about 168.00 feet to an angle point therein;

Thence easterly in a northerly line of said 29.81 acre parcel, a distance of about 50.00 feet to an angle point therein;

Thence southerly in the easterly line of said 29.81 acre parcel, a distance of about 319.70 feet to the southeasterly corner thereof;

Thence westerly in the southerly line of said 29.81 acre parcel, a distance of about 2230.89 feet to the southwesterly corner thereof and a point in the westerly line of Original Lot No. 42;

Thence northerly in the westerly line of Original Lot No. 42, a distance of about 634.03 feet to the northwesterly corner of said Original Lot;

Thence easterly in the northerly line of Original Lot No. 42, a distance of about 861.82 feet to the southwesterly corner of an 8.21 acre parcel now or formerly owned by the Billy S. Rowland Trust;

Thence northerly in the westerly line of said 8.21 acre parcel, a distance of about 485.35 feet to a point in the southerly right-of-way line of the Ohio Turnpike;

Thence easterly in the southerly right-of-way line of the Ohio Turnpike, a distance of about 763.05 feet to an angle point therein;

Thence southerly in the Ohio Turnpike's right-of-way line, a distance of about 12.32 feet to an angle point therein;

Thence easterly in the southerly right-of-way line of the Ohio Turnpike, a distance of about 617.68 feet to the northeasterly corner of a 1.74 acre parcel now or formerly owned by the Billy S. Rowland Trust;

Thence southerly in the easterly line of said 1.74 acre parcel and in the easterly line of a 4.94 acre parcel now or formerly owned by the Billy S. Rowland Trust, a distance of about 285.30 feet to a point in the northerly sideline of Emerson Court;

Thence westerly in the northerly sideline of Emerson Court, a distance of about 5.00 feet to an angle point in the easterly line of the aforesaid 4.94 acre parcel;

Thence southerly in the easterly line of said 4.94 acre parcel, a distance of 50.00 feet to a point in the southerly sideline of Emerson Court;

Thence westerly in the westerly extension of the southerly sideline of Emerson Court, a distance of about 25.67 feet to an angle point in the southerly line of said 4.94 acre parcel;

Thence southerly in the easterly line of said 4.94 acre parcel, a distance of about 131 feet to a point in the northerly line of "Parcel No. 3" conveyed to Billy S. Rowland as recorded in Volume 86, Pages 67 and 71 of Lorain County Official Records;

Thence easterly in the northerly line of said "Parcel No. 3" and in the northerly line of "Parcel No. 1" so conveyed to Billy S. Rowland, a distance of about 1253.07 feet to a point 10 feet westerly of the northwesterly corner of Sublot No. 34 in Westview Allotment No. 3 as recorded in Volume 14, Page 36 of Lorain County Plat Records;

Thence southerly in a line parallel with and 10 feet westerly of the

westerly line of Sublot No. 34, a distance of about 128.96 feet to a point in the westerly extension of the northerly sideline of Edison Court;

Thence easterly in the westerly extension of the northerly sideline of Edison Court, a distance of about 10.00 feet to the principal place beginning;

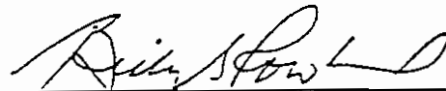
Enclosing a parcel containing about 58.32 acres of land of which about 2.76 acres are in Original Lot No. 35, about 1.70 acres are within Original Lot No. 36, about 18.65 acres are within Original Lot No. 41, and about 35.21 acres are within Original Lot No. 42 but subject to all legal highways.

The within territory is adjacent to the said City of Elyria, Ohio.

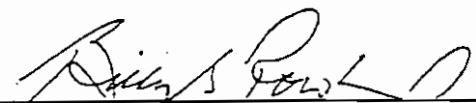
Petitioners have attached hereto and made a part of this Petition an accurate map showing the boundaries of the territory sought to be annexed marked "Annexation Map."

Petitioners state there are two (2) owners of real estate in the territory sought to be annexed.

Ernest J. Alessio, 2141 Lake Pointe Drive, Avon, Ohio 44011, is hereby appointed agent for the undersigned Petitioners as required by O.R.C. 709.02 with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase, decrease 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 further expressed consent of the Petitioners.



Billy S. Rowland, Trustee of the  
Billy S. Rowland Trust  
65 Coveland  
Avon Lake, Ohio 44012



Billy S. Rowland  
65 Coveland  
Avon Lake, Ohio 44012

