

Sponsored by:

UTILITIES
COMMITTEE
MEMBERS:
M. Lotko
C. Gersak

ORDINANCE NO. 2004- 141

AN ORDINANCE ACCEPTING THE PETITION OF JOYCE MARIE CLARK, ET AL, FOR ANNEXATION TO THE CITY OF ELYRIA FOR 75.45 ACRES OF LAND, SITUATED IN EATON TOWNSHIP.

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

SECTION 1: That pursuant to ORC Section 709.04, the petition of Joyce Marie Clark, et al, approved by the Lorain County Commissioners under Resolution 04-422 and received by the Clerk of Elyria City Council's office on July 14, 2004, for the annexation to the City of Elyria of 75.45 acres of land, situated in Eaton 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 3 of the City.

SECTION 3: That the Clerk of Elyria City Council (CLERK) 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 CLERK in his official capacity, and shall be authenticated by the seal of the municipal corporation, if there is any. The 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 CLERK to the Secretary of State.

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 2004-141

Arthur J. Weber 12-03-04
ARTHUR J. WEBER, CLERK OF COUNCIL DATE
CITY OF ELYRIA, OHIO

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: 9/20/04 E. Kenneth Burkhard
E. Kenneth Burkhard, President

ATTEST: Arthur J. Weber APPROVED: 9/20/04
Arthur J. Weber, Clerk

William M. Grace
William M. Grace, Mayor

DATE: 9-21-04

Approved as to form:

Terry S. Shilling
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. 2004-141 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: 9/21/04

Arthur J. Weber

CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

NO TRANSFER NECESSARY

MARK R. STEWART
LORAIN COUNTY AUDITOR

Date presented to the Mayor: 9/21/04

Mark R. Stewart
DEPUTY

said point also being on the corporation line between the Township of Eaton to the south and the City of North Ridgeville to the north;

COURSE 3: Thence S 88°-49'-47" E along the northerly corporation line of the Township of Eaton, and along the northerly line of said land conveyed to The Mary Jane Blakeslee Living Trust and passing through a 5/8" iron pin found at the northeasterly corner thereof at 895.97 feet, and along the northerly line of land conveyed to Carol A. Bakos et al by deed recorded in Instrument No. 20020838525 of Lorain County Deed Records, and passing through a capped 5/8" iron pin set on the westerly right of way line of Bender Road, 40 feet wide, at 1,513.67 feet, a total distance of 1,533.67 feet to the northeasterly corner thereof, and the centerline of said Bender Road;

COURSE 4: Thence S 0°-50'-36" W along the said centerline of Bender Road, a distance of 1,625.01 feet to the southeasterly corner of land conveyed to Marian Stanko et al, by deed recorded in O.R. Volume 722, Page 299 of Lorain County Deed Records; said point also being the northeasterly corner of land conveyed to Edward and Anthony Krecic, by deed recorded in O.R. Volume 852, Page 531 of Lorain County Deed Records;

COURSE 5: Thence N 89°-04'-44" W along the southerly line of said land conveyed to Stanko et al, and along the northerly line of said land conveyed to Krecic, a distance of 643.86 feet to a capped 5/8" iron pin set at its intersection with the easterly line of said land conveyed to The Mary Jane Blakeslee Living Trust; said point also being on the said easterly line of said Original Eaton Township Lot Number 91;

COURSE 6: Thence S 1°-03'-39" W along the said easterly line of land conveyed to The Mary Jane Blakeslee Living Trust, and along the said easterly line of said Original Eaton Township Lot Number 91, and passing through the said northerly sideline of Chestnut Ridge Road at 873.31 feet, a total distance of 906.32 feet to the place of beginning, but subject to all legal highways, and containing 76.772 acres of land according to a survey by Capital Survey Company dated October, 2003, by Ralph M. Gugar, Registered Surveyor No. 7949.

NOTE:

All iron pins set are 5/8" x 30" Rebar with yellow cap stamped with "CAPITOL 7541-7949". Basis of bearings is S 79°-00'-00" W on the centerline of Chestnut Ridge Road, as per deed to Joyce Marie Clark as recorded in O.R. Volume 1197, Page 287 of Lorain County Deed Records.

07-00-048-000-007
SURVEY DEVELOPMENT CO.
VOL. 98022522

07-00-048-000-007
CARY L. & TERESA GIBSON
VOL. 22, PG. 237

07-00-048-000-003
JAMES A. HICKS, BISHOP OF THE DIOCESE OF CLEVELAND
VOL. 220, PG. 318

CITY OF NORTH RIDGEVILLE

ABOUT 254' DEED 856.97' ACTUAL
5 88' 19" 47' E
1524.57' ACTUAL
ABOUT 819.42' DEED
637.07' DEED & USED

TOWNSHIP OF EATON

O.L. 91

O.L. 90

O.L. 89

O.L. 88

O.L. 87

O.L. 86

O.L. 85

O.L. 84

O.L. 83

O.L. 82

O.L. 81

O.L. 80

O.L. 79

O.L. 78

O.L. 77

O.L. 76

O.L. 75

O.L. 74

O.L. 73

O.L. 72

O.L. 71

O.L. 70

O.L. 69

O.L. 68

O.L. 67

O.L. 66

O.L. 65

O.L. 64

O.L. 63

O.L. 62

O.L. 61

O.L. 60

O.L. 59

O.L. 58

O.L. 57

O.L. 56

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O.L. 52

O.L. 51

O.L. 50

O.L. 49

O.L. 48

O.L. 47

O.L. 46

O.L. 45

O.L. 44

O.L. 43

O.L. 42

O.L. 41

O.L. 40

O.L. 39

O.L. 38

O.L. 37

O.L. 36

O.L. 35

O.L. 34

O.L. 33

O.L. 32

O.L. 31

(12.83 ACRES TO C/A)
11-00-000-000-000
CAROL A. BAIRD
RONALD A. BAIRD
DANIEL M. BAIRD
DANIEL M. BAIRD

76.772 ACRES TO BE ANNEXED FROM
THE TOWNSHIP OF EATON TO THE CITY OF ELYRIA
52,247 ACRES
23,926 ACRES

(51.007 ACRES TO C/A)
11-00-000-000-000
11-00-000-000-000
11-00-000-000-000
11-00-000-000-000
THE MARY JANE WALKER LIVING TRUST
VOL. 712, PG. 148

(0.273 ACRES TO C/A)
11-00-000-000-000
MURRAY STANLEY, DONOR
MURRAY STANLEY, CLARENCE COLLETTA
& MARY FRANCES
VOL. 712, PG. 148

CHESTNUT RIDGE RESIDENTIAL DEVELOPMENT NO. 1 - VOLUME 02, PAGES 30, 37 & 38 OF LORAIN COUNTY MAP RECORDS

CITY OF ELYRIA

TOWNSHIP OF EATON

BENDER ROAD 40'

CHESTNUT RIDGE 60'

(0.505 AC. TO C/A)
11-00-000-000-000
ROYCE MARIE CLARK
VOL. 1187, PG. 247

(0.811 AC. TO C/A)
11-00-000-000-000
JERRY R. & CLAYTON W. WALKER
VOL. 1181, PG. 168

(0.811 AC. TO C/A)
11-00-000-000-000
ROBERT R. & SUSAN J. MARY
VOL. 1044, PG. 148

O.L. 91

O.L. 90

O.L. 89

O.L. 88

O.L. 87

O.L. 86

O.L. 85

O.L. 84

O.L. 83

O.L. 82

O.L. 81

O.L. 80

O.L. 79

O.L. 78

O.L. 77

O.L. 76

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O.L. 72

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O.L. 44

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O.L. 29

O.L. 28

O.L. 27

O.L. 26

O.L. 25

O.L. 24

O.L. 23

O.L. 22

O.L. 21

O.L. 20

O.L. 19

O.L. 18

O.L. 17

O.L. 16

O.L. 15

O.L. 14

O.L. 13

O.L. 12

O.L. 11

O.L. 10

O.L. 9

O.L. 8

O.L. 7

O.L. 6

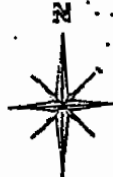
O.L. 5

O.L. 4

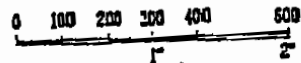
O.L. 3

O.L. 2

O.L. 1



SCALE: 1" = 300'



EXISTING CORPORATION LINE (TYPICAL)

ACT. = ACTUAL D. = DEED

ANNEXATION MAP

of part of
ORIGINAL EATON TOWNSHIP LOT NUMBERS 90 AND 91
TOWNSHIP OF EATON
COUNTY OF LORAIN - STATE OF OHIO

prepared by
CAPITOL SURVEY COMPANY
2545 STRATFORD DRIVE PHONE: (216) 447-2227
VALLEY VIEW, OHIO 44125 FAX: (216) 524-1828

Ralph M. Guehr
RALPH M. GUEHR - PROFESSIONAL SURVEYOR # 7143
DATE: SEPTEMBER 30, 2003



NOTE: THIS MAP HAS BEEN PREPARED FROM BOTH RECORD AND FROM AN ACTUAL SURVEY MADE BY CAPITOL SURVEY COMPANY.