

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 2009-221.

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

11-07-09
DATE

ORDINANCE NO. 2009-221

Sponsored by
Finance

- F. Bullocks
- T. Callahan
- L. Tanner
- V. Stewart III
- G. Gibbs

AN ORDINANCE DIRECTING THE CLERK OF COUNCIL TO MAKE A WRITTEN RETURN TO THE LORAIN COUNTY AUDITOR TO BECOME A LIEN UPON REAL PROPERTY OWNED BY B-VEST PROPERTIES LLC AND LOCATED AT 154 OLIVE STREET, ELYRIA, OHIO, AND DECLARING AN EMERGENCY.

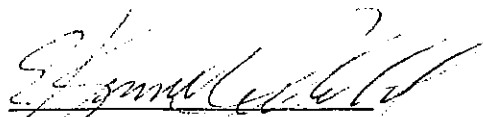
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE OF OHIO:

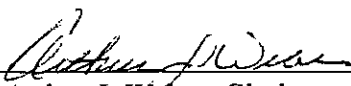
SECTION 1: That the Clerk of Council is hereby directed to make a written return, pursuant to Elyria Codified Ordinance Section 1391.12 (a), to the Lorain County Auditor and request that Forty Thousand and 88/100's (\$40,000.88) Dollars shall be entered upon the tax duplicate to become a lien upon such land located at 154 Olive Street, Elyria, Ohio 44035 (**REAL PROPERTY**). Said **REAL PROPERTY** describe in Exhibit "A" is owned by B-Vest Properties LLC, and the Permanent Parcel Numbers are: 06-25-015-104-006; 06-25-014-104-003; and 06-25-015-104-007.

SECTION 2: 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.

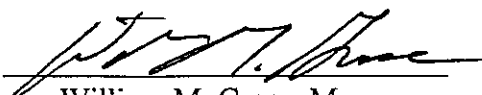
SECTION 3: That this Ordinance is hereby declared to be an emergency, the emergency being that the City of Elyria has already expended said funds and a lien need to be placed on the tax duplicate to protect the City's interest, and is necessary fo the immediate preservation of the public peace, health, safety, or welfare of the citizens of the City of Elyria; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 11-2-09


E. Kenneth Burkhard, President

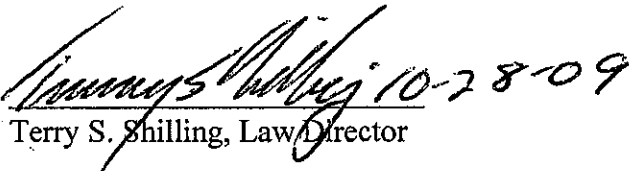
ATTEST: 
Arthur J. Weber, Clerk

APPROVED: 11-2-09


William M. Grace, Mayor

DATE: 11-4-09

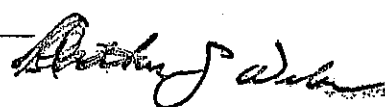
Approved as to form:


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. 2009-321 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: 11/4/09



CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

Date presented to the Mayor: 11/3/09

EXHIBIT "A"

PARCEL NO. 1: Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being part of Sublot Nos. 1, 2, 3 and 4 in John W. Taylor's Avondale Park Allotment of part of Original Elyria Township Lot No. 15, East of Black River, as shown by the recorded plat in Volume 6 of Maps, Page 2 of Lorain County Records, and part of Original Elyria Township Lot No. 14, East of River, not subdivided, and bounded and described as follows: Beginning at the intersection of the northerly line of Taylor Street with the easterly line of Olive Street, being also the southwesterly corner of said Sublot No. 4; thence Northerly along the westerly line of said Sublot No. 4 to the southerly line of a parcel of land conveyed to The Lake Shore and Michigan Southern Railway Company by deed dated December 5, 1904, and recorded in Volume 97, Page 619 of Lorain County Deed Records; thence Easterly along the southerly line of land so conveyed to The Lake Shore and Michigan Southern Railway Company to the westerly line of land conveyed to J.C. Hill and H.W. Wurst by deed dated April 3, 1909, and recorded in Volume 113, Page 194 of Lorain County Deed Records; thence Southerly along the westerly line of land so conveyed to J.C. Hill and H.W. Wurst to the centerline of Taylor Street; thence Westerly along the centerline of Taylor Street to the westerly line of said Original Elyria Township Lot No. 14; thence Northerly along said westerly line of Original Elyria Township Lot No. 14 a distance of about 25 feet to the northerly line of Taylor Street and the southeasterly corner of said Sublot No. 1; thence Westerly along the northerly line of Taylor Street to the place of beginning, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM 3.1610 acres as conveyed to JPJAJ Partnership, an Ohio limited partnership, and recorded in O.R. Volume 473, Page 185 of Lorain County Records.
Intending to convey 365.88 x 276.08 (PPN 06-25-015-104-006); 1.83 acres (PPN 06-25-014-104-003)

PARCEL NO. 2: Situated in the City of Elyria, County of Lorain and State of Ohio, being known as part of Sublot Nos. 1, 2, 3 and 4 in the Avondale Park Allotment, as recorded in Volume 6, Page 2 of Lorain County Plat Records, and part of Original Elyria Township Lot Nos. 14 and 15, East of Black River, and more definitely described as follows: Beginning at the intersection of the northerly sideline of Taylor Street and the easterly sideline of Olive Street, said point being the southwesterly corner of Sublot No. 4 in Avondale Park Allotment, recorded as aforesaid; thence due North in the easterly sideline of Olive Street, a distance of 179.83 feet to a drill hole in the northwesterly corner of Parcel No. 1 conveyed to the G.I. Company, as recorded in Volume 891, Page 94 of Lorain County Deed Records, said point is the principal place of beginning; thence North 76° 23' 40" East in the northerly line of Parcel No. 1, a distance of 230.00 feet to a spike set; thence North 73° 56' 40" East in the northerly line of Parcel No. 1, a distance of 207.00 feet to an iron pin set; thence North 11° 49' 20" West, a distance of 26.80 feet to an iron pin set 10.00 feet distant Southerly by rectangular measurement from the centerline of an existing track; thence South 79° 47' 08" West, a distance of 25.34 feet to an iron pin set 10.00 feet distant Southerly by rectangular measurement from said existing track; thence South 78° 32' West, a distance of 25.00 feet to an iron pin set 10.00 feet distant Southerly by rectangular measurement from the centerline of said existing track; thence South 76° 12' West, a distance of 25.00 feet to an iron pin set; thence South 74° 20' West in a line parallel to and 10.00 feet distant Southerly by rectangular measurement from the centerline of said existing track, a distance of 214.13 feet to an iron pin set; thence South 73° 52' West, a distance of 142.71 feet to an iron pin set in the northerly extension of the easterly sideline of Olive Street; thence due South in the easterly sideline of Olive Street and the northerly extension thereof, a distance of 24.68 feet to the northwesterly corner of Parcel No. 1 conveyed to G.I. Company, recorded as aforesaid, and the principal place of beginning; enclosing a parcel containing 13,120.51 square feet, be the same more or less, but subject to all legal highways.
Intending to convey 0.30 of an acre.

PPN 06-25-015-104-007