

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance No 2020-71

Michael J. Lotko III, CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

6/1/2020
DATE

Sponsored by:
COMMUNITY DEVELOPMENT

- T. Callahan
- D. Mitchell
- J. Cerra
- M. Madison
- M. Jessie

ORDINANCE NO. 2020- 71

AN ORDINANCE ACCEPTING THE PETITION OF BUILDERS & DEVELOPERS CO., INC. FOR ANNEXATION OF 38.665 ACRES OF LAND TO THE CITY OF ELYRIA.

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

SECTION 1: That the petition of Builders & Developers Co., Inc., approved by the Lorain County Commissioners under Resolution No. 20-222 and received by the Clerk of Council's office on April 3, 2020, for the annexation of 38.665 acres of land, situated in Carlisle Township, and described in Exhibit "A" attached hereto and made a part hereof as if fully rewritten herein, to the City of Elyria, 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 part of Ward 5 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 it is correct. Such certificate shall be signed by the Clerk in his official capacity. 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 or records and preserve it. The other copy shall be forwarded by the Clerk to the Secretary of State.

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: 6/1/2020

Victor P. Stewart III
Victor P. Stewart III, President

ATTEST: Michael J. Lotko III
Michael J. Lotko III, Clerk

APPROVED: 6/1/2020



Frank Whitfield, Mayor

DATE: 6/02/2020

Approved as to form:

Amanda R. Deery 5/01/2020
Amanda R. Deery, 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. 2020 71 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: 6/5/2020 

CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

Date presented to the Mayor: 6/2/2020

Exhibit A

19003172DE-01
38.6665 AC
February 25, 2020

RECORDED
INDEXED
P 2-01
LITTON

Situated in the Township of Carlisle, County of Lorain and State of Ohio, and being part of Lot 7 in Original Carlisle Township, and being more fully bounded and described as follows:

Commencing at a 1" iron pin in a monument box at the northwesterly corner of said Lot 7 and being on the centerline of Middle Avenue 60 feet wide, thence North 89°42'50" East along the northerly line of said section 7 and along the southerly line of a parcel of land now or formerly owned by Colonial Oaks Property LLC as recorded in Instrument number 2018-0677077 of the Lorain County records, a distance of 202.16 feet to a 5/8 inch iron pin capped "Simon" found at the Place of Beginning of the parcel of land herein described;

Course No. 1: thence North 89°42'50" East continuing along the northerly line of said Lot 7 and the southerly line of said Colonial Oaks land, the southerly line of a parcel of land now or formerly owned by Colonial Oaks Community Corp. as recorded in Official Record Volume 643, Page 718 of the Lorain County Records and the southerly line of a parcel of land now or formerly owned by Joseph J. Elbert, Trustee as recorded in Instrument number 2017-0617123 of the Lorain County Records, a distance of 2438.96 feet to a 5/8 inch iron pin set at the northwesterly corner of a second parcel of land now or formerly owned by Joseph J. Elbert, Trustee as recorded in Instrument number 2017-0617123 of the Lorain County Records;


Course No. 2: thence South 00°20'52" West along the westerly line of said second Joseph Elbert land and the westerly line of a parcel of land now or formerly owned by Lorene A. Elbert as recorded in Instrument number 2008-0237106 of the Lorain County Records, a distance of 664.67 feet to a 1 inch iron pipe found at the northeasterly corner of a parcel of land now or formerly owned by The United Polish Club of Elyria, Ohio as recorded in Instrument number 2005-0055048 of the Lorain County Records;

Course No. 3: thence South 89°49'23" West along the northerly line of said United Polish Club land, passing over a 5/8 inch iron pin capped "KS" at a distance of 2611.15 a total distance of 2640.93 feet to the centerline of said Middle Avenue;

Course No. 4: thence North 00°20'10" East along the said centerline of Middle Avenue, a distance of 341.29 to the southwest corner of a parcel of land now or formerly owned by Nancy L. and Wilbur A. Dunn as recorded in Instrument number 2018-0699079 of the Lorain County Records;

Course No. 5: thence North 89°42'50" East along the southerly line of said Dunn land, passing over a 5/8 inch iron pin capped "Simon" found at 30.20 a total distance of 202.16 feet to a 5/8 inch iron pin capped "Simon" at the southeasterly corner thereof;

Course No. 6: thence North 00°20'10" East along the easterly line of said Dunn land and along the easterly line of a parcel of land now or formerly owned by Heather M. Salyers as recorded in Instrument number 2019-0711656 of the Lorain County Records, passing over a 5/8 inch iron pin found at 187.00 feet a total distance of 318.35 feet to the place of beginning of the parcel of land herein described containing 38.6665 acres of land according to a survey by Atwell, LLC under the supervision of Alex E. Marks, PS 8616 and being the same more or less and being subject to all legal highways and easements.


Alex E. Marks, PS 8616



02/25/2020
Date

Legal description reviewed by JS
on 9/22/20 per ORC, Section 5713.09