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January 28, 2021

James R. White, Attorney
Fauver, Co., LPA
409 East Avenue
Elyria, Ohio 44035

Dear Attorney White:

Enclosed is Resolution No. 21-49, adopted by the Lorain County Board of Commissioners on January 27, 2021 receiving and journalizing a regular Annexation Petition of approximately 41.9821 acres from Eaton Township to the Village of Grafton, Ohio James R. White, Esq., Agent for Petitioner Kevin Flanigan, Authorized Member, KNG, LTD

The public hearing has been scheduled for Tuesday, April 6, 2021 at 9:30 a.m., Commissioners Public Hearing Room B, J. Grant Keys – Administration Building, 226 Middle Avenue, Elyria, Ohio.

Sincerely,

A handwritten signature in black ink, appearing to read "Theresa L. Upton".

Theresa L. Upton
Clerk

tlu
Enclosure

Cc: Ken Carney, LC Engineer
Craig Snodgrass, LC Auditor
Eaton Township Trustees
Village of Grafton
File

a.10

RESOLUTION NO. 21-49

In the matter of receiving and journalizing a regular)
Annexation Petition of approximately 41.9821 acres)
from Eaton Township to the Village of Grafton, Ohio)
James R. White, Esq., Agent for Petitioner Kevin)
Flanigan, Authorized Member, KNG, LTD)

January 27, 2021

WHEREAS, the Lorain County Board of Commissioners receives and journalizes a petition and map that was received in the Commissioner's Office on January 22, 2021 the proposed regular annexation of approximately 41.9821 acres of land in the Township of Eaton to the Village of Grafton, Ohio; and

WHEREAS, James R. White, Esq., Agent for Petitioner Kevin Flanigan, Authorized Member, KNG, LTD; and

WHEREAS, the Petition and legal description reads as follows:
PETITION FOR REGULAR ANNEXATION OF LAND TO THE VILLAGE OF
GRAFTON, OHIO FROM THE TOWNSHIP OF EATON

To: The Board of Commissioners of Lorain County, Ohio

Pursuant to 709.021 of the Ohio Revised Code the undersigned, being all of the property owners of the real property described in Exhibit A attached hereto and made a part hereof hereby petition the Board of Commissioners of Lorain County, Ohio to cause the property, as described in said Exhibit A to be annexed to the Village of Grafton, Ohio.

An accurate map of the plat of the property sought to be annexed is attached as Exhibit B which is attached and made a part hereof.

The only owners of the property sought to be annexed KNG, LTD., and known as Permanent Parcel No. 11-00-079-000-070

All of the owners of the property subject to this petition for annexation have consented to the petition and are signers thereon for the annexation of said property. A list of all properties adjacent and across the street to those sought to be annexed is attached as Exhibit C.

Such property is adjacent and contiguous to the Village of Grafton, Ohio.

The name of the person to act as agent for the undersigned petitioner is James R. White, Esq., 409 East Avenue, Suite A, Elyria, Ohio 44035, telephone 440-934-3700, fax 440-934-3708 and email: jwhite@fauverlegal.com. Mr. White is hereby appointed for the undersigned petitioner as required by R.C. 709.02 (c), with full power and authority hereby granted to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, do any and all thing essential thereto and to take any action necessary for obtaining the granting of this petition. Said amendment, alternation, change, correction, withdrawal, refile, substituting, compromise, increase or deletion or other things or actions for granting this petition shall be made in the petition description and plat by said agent without further consent of the petitioner.

Acceptance of Agent:

S/James R. White, Attorney – Fauver, Co., LPA
409 East Avenue, Suite A, Elyria, Ohio 44035
440-934-3700 / jwhite@fauverlegal.com

Date: 1/12/2021

S/Kevin Flanigan,
Authorized Member, KNG, LTD.

And;

Exhibit A

11-00-079-000-070

**Legal Description
41.9821 Acres**

Situated in the Village of Grafton, County of Lorain, State of Ohio, and known as being part of Original Eaton Township Lot Number 79, being a parcel of land described in a deed to KNG, LTD. as recorded in Instrument Number 2020-0763523 of the Lorain County Deed Records and further described as follows:

Commencing at a 1-inch iron pin found in a monument box at the intersection of the centerline of S. Durkee Road (a.k.a. Elm Street) (60 feet) also being the westerly line of Original Eaton Township Lot Number 79, with the southerly line of Eaton Township and the westerly extension of the northerly line of Kinter's Sunny Acres Subdivision Number 1 as recorded in Volume 24, Page 1 of the Lorain County Plat Records; Said point is the **True Place of Beginning** of land herein described;

Course 1: Thence **North 00° 05' 07" East** along the centerline of said S. Durkee Road, a distance of **533.04 feet** to a point in the southwest corner of a parcel of land described in a deed to Jeffrey A. & Constance A. Lynch as recorded in Instrument Number 2007-0195096 of the Lorain County Deed Records;

Course 2: Thence **North 89° 08' 37" East** along the southerly line of said Lynch parcel, passing through a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set at 711.54, an overall distance of **721.54 feet** to a point in an existing ditch;

Course 3: Thence **North 06° 46' 35" West** along the easterly line of said Lynch parcel and along an existing ditch, a distance of **86.65 feet** to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set;

Course 4: Thence **North 62° 51' 53" West** along the easterly line of said Lynch parcel, a distance of **93.19 feet** to point in the southeasterly corner of a parcel of land described in a deed to Rabon & Andrea Smith as recorded in Instrument Number 1999-0639050 of the Lorain County Deed Records; Said point being 10.20 feet easterly and 0.22 feet southerly from a 1-inch iron pipe found;



11-00-079-000-070**Legal Description
41.9821 Acres**

- Course 5:** Thence **North 67° 53' 01" West** along the easterly line of said Smith parcel and along an existing ditch, a distance of **76.75 feet** to a point in the southeasterly corner of a parcel of land described in a deed to Rabon & Andrea Smith as recorded in Instrument Number 2006-0183021 of the Lorain County Deed Records and the southerly line of Country Place Subdivision Number 1 as recorded in Volume 31, Page 1 of the Lorain County Plat Records; Said point being 10.27 feet easterly and 0.27 feet southerly from a ¾-inch iron pipe found;
- Course 6:** Thence **North 89° 08' 54" East**, along the southerly line of said Country Place Subdivision Number 1 and along the southerly line of Country Place Subdivision Number 2 as recorded in Volume 31, Page 17 of the Lorain County Plat Records, a distance of **2185.46 feet** to a point in the easterly line of said Original Eaton Township Lot Number 79 and the northwesterly corner of a parcel of land described in a deed to Rabi Ridha & Wafa Aldhahir as recorded in Instrument Number 2012-0439923 of the Lorain County Deed Records; Said point being 0.19 feet westerly and 0.09 feet northerly from a 3/4-inch iron pipe found;
- Course 7:** Thence **South 00° 43' 27" East**, along the easterly line of said Original Eaton Township Lot Number 79 and the westerly line of said Ridha & Aldhahir parcel, a distance of **717.52 feet** to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set in the northerly line of Fiddler's Green Subdivision Number 3 as recorded in Volume 105, Page 34 of the Lorain County Plat Records;

11-00-079-000-070	Legal Description
	41.9821 Acres

Course 8: Thence **South 89° 39' 39" West**, along the southerly line of said Eaton Township, the northerly line of said Fiddler's Green Subdivision Number 3, the northerly line of Fiddler's Green Subdivision as recorded in Volume 88, Page 35 of the Lorain County Plat Records and the northerly line of said Kinter's Sunny Acres Subdivision Number 1, a distance of **2752.33 feet** to a point in the centerline of said Elm Street and the westerly line of said Original Eaton Township Lot Number 79 and the **True Place of Beginning**.

Containing within said bounds **41.9821 acres** of land, be the same more or less, but subject to all legal highways and easements of record. All bearings are to an assumed meridian and are intended to describe angles only. The basis of bearings used was a portion of the centerline of Elm Street (a.k.a. S. Durkee Rd.), which was assumed to be North 00° 05' 07" East.

The above intends to describe all of Lorain County Auditor's Permanent Parcel Number: 11-00-079-000-070.



And;

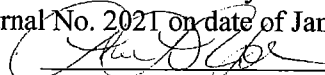
WHEREAS, the County Auditor and Engineer have been notified to review and advice on their findings as to the accuracy of said petition.

NOW, THEREFORE BE IT RESOLVED, the Lorain County Board of Commissioners has scheduled a public hearing on Tuesday, April 6, 2021, which is the 74th day at 9:30 a.m.

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

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 21-49 is a true copy as it appears in Journal No. 2021 on date of January 27, 2021


 Theresa L. Upton, Clerk