



LORAIN COUNTY COMMISSIONERS



Michelle Hung

David J Moore

Jeff Riddell

cc PZ TS
RK
File

RECEIVED

AUG 15 2023

KEN CARNEY
LORAIN COUNTY ENGINEER

August 14, 2023

Robert D. Yost
Tyllin Ltd
260 S. Logan Street
Elyria, Ohio 44035

Dear Mr. Yost:

Lorain County Board of Commissioners rejected your Expedited 1 Annexation due to inaccuracies on August 11, 2023 by Resolution #23-581, which is enclosed as well as your original paperwork that had been submitted.

This is being forwarded for your information and files.

Sincerely,

Theresa L. Upton
Clerk

tlu/Enclosure

Cc: Ken Carney, LC Engineer ✓
Ted Spillman, LC Tax Map
Craig Snodgrass, LC Auditor
Dan Petticord, LC APA / Attn: Kelly Laubenthal
File

In the matter of rejecting the Expedited 1 Annexation)
Petition of 5.9668 acres from Carlisle Township to)
City of Elyria, Robert D. Yost, Agent for Tyllin, Ltd.)

August 11, 2023

WHEREAS, An expedited 1 Petition and Map were filed in the Board of Commissioners received by the Clerk on June 28, 2023 for the proposed Annexation of approximately 5.9668 acres in Carlisle Township to the City of Elyria, Ohio; and

WHEREAS, June 29, 2023 letters were issued to Craig Snodgrass, Lorain County Auditor and Kenneth P. Carney, Lorain County Engineer asking for review and accuracy of the Petition and Map (There is no requirement to send these documents to the Auditor or Engineer, but did so as information status); and

WHEREAS, July 11, 2023 Certificate of Filing was received from County Auditor; and

WHEREAS, July 14, 2023 Engineer issued a letter after review stating that the petitioners legal descriptions contain errors thus do not accurately describe the perimeter of the territory that he proposes to annex to the City of Elyria; and

WHEREAS, July 19, 2023 letter was issued to Auditor and Engineer for review with corrections made by hand by Mr. Bob Yost in response from the Engineers letter of July 14, 2023; and

WHEREAS, July 20, 2023 Engineer issued a letter after review reporting that the petitioners legal description still contain the prior errors (although now with additional handwritten notation, (thus do not accurately describe the perimeter of the territory that he proposes to annex to the City of Elyria. Upon review Engineer also reports that the petitioner acreages are inaccurate because of the discrepancies among the citations in the legal description in comparison to this Annexation Plat. To reconcile the acreages, the petitioner should submit new legal descriptions prepared by his professional land surveyor; and

WHEREAS, July 24, 2023 Robert D. Yost, Manager for Tyllin, Ltd., submitted a new expedited 1 Petition and Map for the proposed Annexation of approximately 5.9668 acres in Carlisle Township to the City of Elyria, Ohio based upon the July 20, 2023 Engineers review of inaccuracies; and

WHEREAS, July 31, 2023 Engineer issued a letter stating the petitioners legal description nd map contain errors thus do not accurately describe the perimeter of the territory that he proposes to annex to the City of Elyria; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that upon review of the documents submitted the Board hereby rejects the annexation based upon the following:

- 1. The map and legal description were inaccurate

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

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 23-581 is a true copy as it appears in Journal No. 23 on August 11, 2023
Theresa L. Upton, Clerk