

5.

AN ORDINANCE PROVIDING FOR THE ADJUSTMENT OF BOUNDARIES BETWEEN THE CITY OF LORAIN, AND THE CITY OF AMHERST FOR MUNICIPAL PURPOSES ONLY, BY MUTUAL CONSENT AND DECLARING AN EMERGENCY.

To provide for the adjustment of boundaries of adjoining municipal corporations by mutual consent.

WHEREAS, the property described as follows:

Situated in the Township of Black River, County of Lorain and State of Ohio, and being known as part of Original Lot No. 2, Tract No. 2 of Black River Township, now within the Corporate Limits of the City of Lorain and more definitely described as follows:

Beginning at the Northwest corner of lands conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer and described in Volume 1223, Page 301 of the Lorain County Record of Deeds.

Thence South $89^{\circ} - 16' - 04''$ East, in the Northerly line of lands so conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer, a distance of 254.16 feet to the Northeast corner thereof. Said point also being the Northwest corner of lands conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer and described in Volume 1225, Page 603 of the Lorain County Record of Deeds.

Thence South $89^{\circ} - 50' - 37''$ East, in the Northerly line of lands so conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer, a distance of 105.87 feet to a point.

Thence due North, a distance of 373.46 feet to a point in the centerline of a drainage waterway, commonly known as Beaver Creek.

Thence in a general Northwesterly direction in the meanderings of Beaver Creek the following four (4) courses.

Thence South $80^{\circ} - 44' - 20''$ West, a distance of 44.08 feet to a point.

Thence North $41^{\circ} - 59' - 46''$ West, a distance of 177.30 feet to a point.

Thence North $46^{\circ} - 17' - 59''$ West, a distance of 228.84 feet to a point.

Thence North $52^{\circ} - 01' - 02''$ West, a distance of 41.14 feet to a point.

Thence due South, a distance of 678.02 feet to the Place of Beginning, containing within said bounds 4.23 acres of land, be the same more or less, but is subject to all legal highways as was surveyed by Norman R. Hura, Registered Surveyor.

is located within the corporate limits of the City of Lorain, Ohio, and

WHEREAS, the City of Lorain and the City of Amherst are two adjoining municipal corporations, and

WHEREAS, the City of Amherst has indicated that, through its legislative authority, it would agree to change its boundary line with the City of Lorain, Ohio to include within its municipal corporation the above-described property, and

WHEREAS, the City of Lorain is desirous of changing its boundary line with the City of Amherst to exclude the property above described; and

WHEREAS, the change of boundary line does not involve the transfer of territory inhabited by more than five (5) voters, and

WHEREAS, the owners of the property, Roy E. Shaffer, Jr. and Joan D. Shaffer, have consented to the adjustment of boundaries, and

WHEREAS, the adjustment of boundaries is "for municipal purposes only";

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION 1. That this Council does hereby declare its intention to adjust the municipal corporate boundaries separating the City of Amherst, Ohio and the City of Lorain, Ohio.

SECTION 2. That the property described as follows:

Situated in the Township of Black River, County of Lorain, and State of Ohio, and being known as part of Original Lot No.2, Tract No.2 of Black River Township, now within the Corporate Limits of the City of Lorain and more definitely described as follows:

Beginning at the Northwest corner of lands conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer and described in Volume 1223, Page 301 of the Lorain County Record of Deeds.

Thence South 89° - 16' - 04" East, in the Northerly line of lands so conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer, a distance of 254.16 feet to the Northeast corner thereof. SAid point also being the Northwest corner of lands conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer and described in Volume 1225, Page 603 of the Lorain County Record of Deeds.

Thence South 89° - 50' - 37" East, in the Northerly line of lands so conveyed to Roy E. Shaffer, Jr. and Joan D. Shaffer, a distance of 105.87 feet to a point.

Thence due North, a distance of 373.46 feet to a point in the centerline of a drainage waterway, commonly known as Beaver Creek.

Thence in a general Northwesterly direction in the meanderings of Beaver Creek the following four (4) courses;

- Thence South 80° - 44' - 20" West, a distance of 44.08 feet to a point.
- Thence North 41° - 59' - 46" West, a distance of 177.30 feet to a point.
- Thence North 46° - 17' - 59" West, a distance of 228.84 feet to a point.
- Thence North 52° - 01' - 02" West, a distance of 41.14 feet to a point.

Thence South, a distance of 678.02 feet to the Place of Beginning, containing within said bounds 4.23 acres of land, be the same more or less, but is subject to all legal highways, as was surveyed by Norman R. Hura, Registered Surveyor.

is hereby made part of the municipal corporation of the City of Amherst, subject to resolution of approval of said change of boundary by the Lorain County Commissioners and the passage of the ordinance approving the change of boundary and the accepting of the above-described property of the City of Amherst.

SECTION 3. That the Clerk of this Council be and he is hereby directed to certify and transmit a copy of this ordinance to the Lorain County Board of County Commissioners and to the City of Amherst, 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 adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committee that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 5. That this ordinance shall be considered to be an emergency, the emergency being the immediate need to change the boundary separating the City of Amherst, Ohio and the City of Lorain, Ohio, for municipal purposes of both municipalities and that this ordinance take effect immediately upon its passage and approval by the Mayor.

PASSED: April 21st, 1980

John Kaschi
PRESIDENT OF COUNCIL

ATTEST: Frank J. Bee CLERK

APPROVED: April 21st, 1980

W.E. Parker
MAYOR