

ORDINANCE NO. 65-55

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ELYRIA AND SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO PROVIDE FOR THE ZONING OF A PORTION OF THE LAND ANNEXED TO THE CITY OF ELYRIA FROM ELYRIA TOWNSHIP BY ORDINANCE NO. 59-102 TO AN R-1 SINGLE-FAMILY RESIDENCE DISTRICT, SAID LAND BEING BOUNDED ON THE EAST BY THE EAST BRANCH OF BLACK RIVER, ON THE NORTH BY THE CORPORATION LINE, ON THE EAST BY THE CORPORATION LINE, ON THE SOUTH BY THE FORMER CORPORATION LINE SOUTH OF HILLIARD ROAD, AND DECLARING AN EMERGENCY

WHEREAS, the following described property has been annexed to the City of Elyria by Ordinance No. 59-102, adopted by the Council of the City of Elyria on August 17, 1959; and,

WHEREAS, in the opinion of the Council of the City of Elyria, it would be conducive to the best interests of the municipality and to the public safety and welfare, and not detrimental to the community to have said property in an R-1 Single-Family Residence District;

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

SECTION 1: That Section 1131.02, Codified Ordinances of the City of Elyria, Ohio, and the Zoning Map as authorized by Section 1131.02 aforesaid, be and the same hereby is amended so as to classify the following described property as R-1 Single-Family Residence District:

Beginning at the northeast corner of Elyria Township, also the southeast corner of Brookside Township (formerly Sheffield Township) thence westerly in the northerly line of Elyria Township to the center of the Black River; thence southwesterly along the center line of Black River and along the easterly line of Fackler Allotment as shown by Recorded Plat Vol. 6, page 5 of the Lorain County Records of Plats to the northeasterly corner of land as conveyed to Arnold L. and Sarah L. Keller by deed dated November 5, 1956 and recorded in Vol. 683, page 147 of the Lorain County Records of Deeds; thence south 29° 25' West along the center line of said Black River a distance of 397.60 feet to the northeasterly part of land, and to the low water mark of Black River on said land, as conveyed to Harold A. and Edith A. White by deed dated April 23, 1958 and recorded in Vol. 719, page 651 of the Lorain County Records of Deeds; thence meandering southwesterly and southerly along the center line of Black River to a point on the easterly line of Lot No. 11, Burrell Day Tract and intersecting with the centerline of Black River; thence southeasterly along the center line of Black River to a point on the southerly line of Lot 11, Burrell Day Tract as extended easterly to the center line of Black River; thence north 89° 28' West along the southerly line of said Lot No. 11 to the westerly margin of Black River and the northeasterly corner of land as conveyed to Wilma M. Warren by deed dated June 15, 1946 and recorded in Vol. 395, page 25 of Lorain County Records of Deeds; thence south 46° 51' East along the westerly margin of Black River a distance of 480.00 feet; thence south 53° 29' east along said westerly margin of Black River a distance of 426.00 feet; thence south 62° 28' east along said westerly margin of Black River a distance of 210.00 feet; thence south 68° 04' east along said westerly margin of Black River a distance of 430.00 feet to the center of a creek; thence south 35° 56' west along the center of said creek about 82.0 feet to a point on the northerly line of Lot No. 18 Brace Tract and the northerly line of lands as conveyed to Henry and Grace Jackson by deed dated November 17, 1948 and recorded in Vol. 453, page 100 of the Lorain County Records of Deeds; thence north 88° 03' east along the northerly line of Lot No. 18 in Brace Tract to the centerline of Ford Road; thence northwesterly along the centerline of Ford Road to the centerline of the Black River; thence northeasterly along the centerline of Black River to the easterly line of Lot no. 9 in Burrell Day Tract and the center of Black River; thence southwesterly along the centerline of Black River through the land of Belle Johnson in Lot No. 9 Burrell Day Tract and along the easterly line of Benjamin E. Jackson's land being also the easterly line of Lot No. 18 Brace Tract and the center of Black River to the northerly line of Lot No. 19 Brace Tract; thence southwesterly along the centerline of Black River and also the Lot line between Original Lots 19 and 23 in Brace Tract; thence southerly along the centerline of Black River and also the lot line between Original Lots Nos. 20 and 24, 21 and 25 in Brace Tract and continuing southerly along the center line of

Black River and the easterly line of Lots Nos. 171 and 173 West of the Black River; thence westerly along the centerline of Black River and also the Southerly line of Lot 173 West of Black River to the northeast corner of Lot 172 West of Black River; thence meandering southwest and southeast along the centerline of Black River and the Lot line to the southwest corner of Lot 169 East of Black River; thence meandering northeasterly along the center line of Black River and Lot line to the Southwest corner of Lot 168 east of Black River; thence southeasterly along the centerline of Black River to the southeast corner of Lot 168 east of Black River; thence meandering along the centerline of Black River and being also the easterly and southerly boundary line of Lot 171 west of Black River to the former northerly corporation limits of the City of Elyria in the southerly line of Lot 163 east of Black River; thence easterly along the southerly line of Lot 163 east of Black River also being the former northerly corporation limits of the City of Elyria, to the centerline of Gulf Road; thence southerly along the centerline of Gulf Road to the southerly line of Lot 32 east of Black River; thence easterly along the southerly line of Lot 32, also being the former northerly corporation limits of the City of Elyria, to a point where the former corporation limits turn north;

thence northerly in a straight line a distance of 734.55 feet more or less to a point; thence easterly in the former northerly corporation limits a distance of 2720.89 feet more or less to a point; thence southerly in the former easterly corporation limits a distance of 3249.87 feet more or less to the southerly right of way line of Cleveland Street; thence northeasterly in the southerly right of way line of Cleveland Street to its intersection with the easterly line of Elyria Township; thence northerly in the easterly line of Elyria Township to the northeast corner of Elyria Township and the place of beginning.

excepting the following described parcels:

a.

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being a part of Original Elyria Township Lot No. 24, East of Black River and bound and described as follows:

Beginning in the Easterly right of way line of Abbe Road where it is intersected by the Northerly right of way line of Howard Street in the City of Elyria, Ohio; thence Northerly along the Easterly right of way line of Abbe Road 120 feet to a point; thence Easterly in a line parallel with the Northerly line of Howard Street a distance of 286.64 feet to a point; thence Southerly parallel with the Easterly line of Abbe Road 120 feet to the Northerly line of Howard Street; thence Westerly along the Northerly line of Howard Street to the place of beginning, be the same more or less, but subject to all legal highways.

b.

Situated in the City of Elyria, County of Lorain and State of Ohio and being known as parts of Original Elyria Township Lots Nos. 29 and 30 of the Brace Tract, and more definitely described as follows:

Beginning at an iron pin set in the Easterly line of lands conveyed to the H & J Development Corporation, Trustee, by deed dated June 13, 1960, and recorded in Volume 773, Page 544 of Lorain County Records, said pin being 59.49 feet Southerly from the Northeasterly corner thereof; thence South $88^{\circ} 45'$ East a distance of 49.49 feet to an iron pin set; thence North $2^{\circ} 23'$ East a distance of 64.84 feet to an iron pin set; thence South $87^{\circ} 22'$ East, a distance of 290.27 feet to an iron pin set; thence North $0^{\circ} 37'$ East a distance of 299.03 feet to the South line of lands conveyed to G. B. and Jennie C. Findley by deed recorded in Volume 251, Page 375 of Lorain County Records; thence South $87^{\circ} 05'$ East along Findley's South line to the center line of a creek; thence Southeasterly along the center line of said creek to the extension Easterly of the center line of the Ohio Edison Company transmission line easement, the course of which is North $89^{\circ} 11'$ West; thence North $89^{\circ} 11'$ West along the extension of said center line of said transmission line and along said center line of said transmission line about 300 feet; to the extension Northerly of the Easterly line of Georgetown Avenue as shown on the recorded plat of Fairwood Subdivision No. 1, Revised, in Volume 23 of Maps, Page 1 of Lorain County Records; thence Southerly in said extension of the Easterly line of Georgetown Avenue about 135.00 feet to the Northerly line of a proposed street; thence Westerly along the Northerly line of said proposed street to a point on the extension Northerly of the Westerly line of said Georgetown Avenue; thence Northerly in the Northerly extension of the Westerly line of said Georgetown Avenue to the center line of said Ohio Edison Company transmission line easement; thence North $89^{\circ} 11'$ West along the center line of said Ohio Edison Company easement about 360 feet to a point; thence Southerly at right angles to the center line of said easement to the Northerly line of

a proposed street; thence Westerly along the Northerly line of said proposed street a distance of 60.00 feet; thence Northerly at right angles to the Northerly line of said proposed street a distance of about 135.00 feet to the center line of said Ohio Edison Company; thence North 69° 11' West to the Easterly line of lands as conveyed to H. & J. Development Corporation, Trustee by deed recorded in Volume 813, Page 42 of Lorain County Records; thence North 0° 10' East along the Easterly line of said land conveyed to H & J Development Corporation, Trustee, and along the Easterly line of Thornwood Estates Subdiyision No. 1 as recorded in Volume 23, Page 26 of Lorain County Records 506.43 feet to the place of beginning, be the same more or less.

c.

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being Sublot Nos. 18-19-20 and 21 in Pikeview Subdivision as recorded in Volume 19 of Maps, Page 27 of Lorain County Records and part of Original Elyria Township Lot. No. 32, East of Black River, and bounded and described as follows:

Beginning at the intersection of the Westerly line of Abbe Road and the Southerly line of Hilliard Road; thence Southerly along the Westerly line of Abbe Road about 733.65 feet to the Southerly line of said Sublot No. 32 and the Northerly line of the Ohio Turnpike; thence Westerly along the Southerly line of Sublot No. 21, 343.60 feet to the Southwesterly corner of Sublot No. 21; thence Northerly along the Westerly line of Sublot Nos. 21, 20, 19 and 18 a distance of 219.85 feet to the Northwesterly corner of Sublot No. 18; thence Westerly along the Southerly line of Parcel No. 1 as conveyed to Bertha Vargo and Louis J. Vargo by deed dated August 19, 1948 and recorded in Volume 447, page 418 of Lorain County Deed Records, about 51.5 feet to the Southwesterly corner thereof; thence Northerly along the Westerly line of land so conveyed to Bertha Vargo and Louis J. Vargo, 462.42 feet to the Southerly line of Hilliard Road; thence Easterly along the Southerly line of Hilliard Road, a distance of 400 feet to the place of beginning, be the same more or less, but subject to all legal highways, and containing about 6½ acres.

d.

The area bounded on the South by the North line of Cleveland Street; on the West by the West line of Original Lot No. 25; on the East by the New York Central railroad tracks and on the North by the Ohio Turnpike.

e.

Situated in the City of Elyria, County of Lorain and State of Ohio and being part of Elyria Township, East of Black River, Lot No. 24 and bounded and described as follows:

An area bounded on the west by easterly property line of lands formerly owned by Eva Osborne Scott as recorded on Lorain County Record of Deeds, Volume 499, Page 579; on the East by the west line of Original Lot No. 25; on the South by the North right-of-way line of Cleveland Street and on the North by a line parallel with the north right-of-way line of Cleveland Street and 500 feet North of said line.

f.

Situated in the City of Elyria, County of Lorain State of Ohio and being part of Elyria Township, East of Black River, Lot No. 32 and bounded and described as follows:

Being all of Sublots 139 and 140 of Spring Valley Subdivision No. 2 as recorded in Lorain County Record of Plats Volume 12, Page 22.

g.

Situated in the City of Elyria, County of Lorain, State of Ohio and being parts of Elyria Township Burrell Day Tract Lot Nos. 1, 2, and 3 and parts of Elyria Township Brace Tract Lot Nos. 28 and 29 bounded and described as follows:

Beginning at the northeast corner of the City of Elyria; thence westerly in the north corporation line of the City of Elyria to its intersection with the easterly right-of-way line of Abbe Road; thence southerly in the easterly right-of-way line of Abbe Road to its intersection with the northerly right-of-way line of Burns Road; thence easterly in

the northerly right-of-way line of Burns Road to its intersection with the westerly property line of lands owned by Gordon R. and Ruth B. McIntosh as recorded in Lorain County Record of Deeds Volume 492, Page 407; thence northerly in the westerly property line of said McIntosh property a distance of 390.08 feet to a point; thence easterly and parallel to Burns Road a distance of 100 feet to a point; thence southerly and parallel to the westerly line of said McIntosh property a distance of 390.08 feet

to the northerly right-of-way line of Burns Road; thence easterly in the northerly right-of-way line of Burns Road to its intersection with the westerly property line of lands owned by Leonard C. and Edythe V. Benton as recorded in Lorain County Record of Deeds Volume 473, Page 434 and Volume 473, Page 436; thence northerly in the westerly property line of said property a distance of 390.08 feet to a point; thence easterly and parallel to Burns Road a distance of 104.1 feet to a point; thence southerly and parallel to the westerly line of said Benton property a distance of 390.08 feet to the northerly right-of-way line of Burns Road; thence easterly in the northerly right-of-way line of Burns Road to its intersection with the easterly corporation line of the City of Elyria; thence northerly in the easterly corporation line of the City of Elyria to the northeast corner of the City of Elyria and the place of beginning.

h.

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being Sublots 3, 4 and 5 and 6 in Block 12 and Sublots 3, 4, 5 and 6 in Block 21 in City Farms Allotment as shown by the recorded plat in Volume 9 of Maps, Page 3 of Lorain County Records; excepting therefrom that part of Sublot 3, Block 12 conveyed to the Ohio Turnpike Commission and excepting therefrom that part of Sublots 3, 4 and 5, Block 21 conveyed to the City of Elyria before the Bon Air Turn about, as shown in Deed Volume 611, Page 282.

SECTION 2: That the land hereinabove described is a part of land annexed to the City of Elyria from Elyria Township by Ordinance No. 59-102, adopted by the Council of the City of Elyria, on August 17, 1959.

SECTION 3: The action of this Council to zone the land hereinabove described is taken pursuant to Section 1131.01, Codified Ordinances of the City of Elyria, Ohio, by its own motion.

SECTION 4: The lands hereinabove described contain more than ten (10) parcels of land and there are more than ten (10) owners.

SECTION 5: That upon the taking effect of this ordinance, the Clerk of this Council shall cause the official Zoning Map of the City of Elyria, Ohio, to be changed so as to show the R-1 Single-Family Residence District hereby created.

SECTION 6: That this Ordinance is and is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public health, peace and welfare of the people of the City of Elyria by providing for a municipal zoning classification for territory annexed from a township; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: MAY 3 1965
ATTEST: ROBERT J. CORTS
Clerk of Council

EUGENE B. SMITH
President of Council

APPROVED: MAY 3 1965

DATE: _____