

ORDINANCE NO. 75-05

**AN ORDINANCE ACCEPTING THE PLAT OF THE MANORS AT MORNINGSIDE IN THE CITY OF LORAIN AND DECLARING AN EMERGENCY**

**WHEREAS**, the Lorain City Planning Commission approved The Manors at Morningside, in the City of Lorain, Ohio at their regular meeting held on April 7, 2004; and

**WHEREAS**, Lorain City Council concurred with the recommendation of the Lorain City Planning Commission's approval of the Manors at Morningside, at the regular Council Meeting held on April 19, 2004; and

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

**SECTION I.** That the Plat of The Manors at Momingside, be and the same is hereby approved and accepted.

**SECTION II.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code 121.22.

**SECTION III.** That this Ordinance is hereby declared to be an emergency, the nature of which is the immediate need to continue the economic development and growth of the community and to accept real property interests which are beneficial to Lorain and its citizens without undue delay and burden in order to preserve the health, welfare, and safety of the citizens of the City of Lorain. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, providing it receives the statutory requirements for passage, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: May 2, 2005 [Signature]  
PRESIDENT OF COUNCIL

ATTEST: [Signature]  
Clerk

[Signature]  
MAYOR

APPROVED: May 2, 2005

I, NANCY A. GREER, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS A TRUE AND ACCURATE COPY OF Ord. NO. 75-05 ON THE 2 DAY OF May 19 05 AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK.

5-10-05  
DATE

[Signature]  
CLERK OF COUNCIL

# THE MANORS AT MORNINGSIDE SUBDIVISION

GENIC PART OF  
BLACK RIVER TOWNSHIP ORIGINAL LOT 1, TRACT 3  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

**OWNER'S CERTIFICATE**  
THIS IS TO CERTIFY THAT THE UNDERSIGNED, GUYTON CONSTRUCTION, INC., HAS BEEN THE OWNER OF THE MANORS AT MORNINGSIDE SUBDIVISION WITHIN THE PLAT OF THE MANORS AT MORNINGSIDE, DOES HEREBY ACCEPT IT TO BE CORRECT AND RECALIBRATED FOR THE PURPOSE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

GUYTON CONSTRUCTION, INC.  
BY: *[Signature]*  
DATE: 12/22/2006

WITNESSES: \_\_\_\_\_ BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

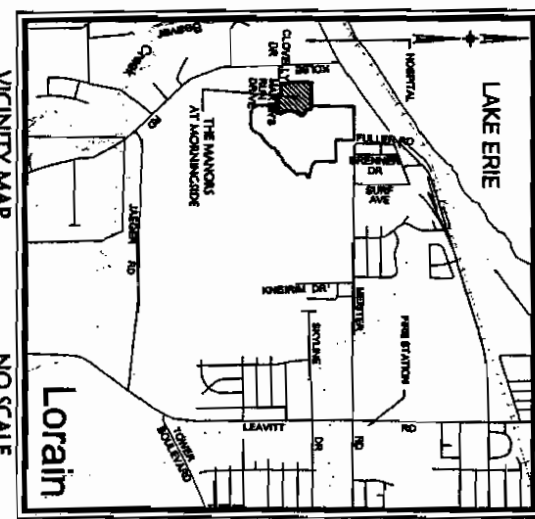
### NOTARY CERTIFICATE

STATE OF OHIO  
LORAIN COUNTY, SS  
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE DO PERSONALLY APPEAR THOMAS A. GUYTON, REPRESENTING GUYTON CONSTRUCTION, INC., OWNER OF THE LAND DESCRIBED IN THE FOREGOING PLAT AND THAT HE HAS HIS OWN FREE ACT AND DEED, IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL ON THIS 22<sup>ND</sup> DAY OF *December*, 2006.



**UNDERGROUND**  
THE OWNER OF THE WITHIN-LIMITED LAND DOES HEREBY GRANT INTO THE OHIO ERIE CO. CENTER TULIPINE OR

THE GRANTEES, A PERMANENT RIGHT OF WAY EASEMENT THREE FEET (3') IN WIDTH OVER, UNDER AND ADJACENT WITH AND CONTIGUOUS TO ALL STREET LINES, EXCEPT WHERE SHOWN OTHERWISE, TO CONSTRUCT, PLACE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT AND RECALIBRATE, COGNATE SERVICE OR EJECT SERVICE, LOCATED THEREUPON, NECESSARY AND CONVENIENT FOR THE GRANTEES TO PREVENT AND AVOID DAMAGE TO THE UNDERGROUND FACILITIES AS SHOWN HEREON, WITHIN AND ALONG THE EASEMENT PROFILES, SAID EASEMENT SHALL INCLUDE THE RIGHT TO INSTALL, MAINTAIN, REPAIR, RECONSTRUCT AND RECALIBRATE, COGNATE SERVICE OR EJECT SERVICE OUTSIDE THE ABOVE DESCRIBED PREMISES AND SHALL ALSO INCLUDE THE RIGHT OF ACCESS, EGRESS AND EGRESS TO AND FROM ANY OF THE WITHIN DESCRIBED PREMISES FOR THE PURPOSE OF THE EASEMENT. THE WITHIN EASEMENT RESERVES THE LAND TO ITS ORIGINAL AS IT EXISTED IMMEDIATELY PRIOR TO THE WORK PERFORMED BY GRANTEES. THE GRANTEES SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UNDERGROUND FACILITIES AND EQUIPMENT LOCATED WITHIN AND ADJACENT TO THE EASEMENT PROFILES AND ARE ADVISED THAT THE EASEMENT PROFILES AND EQUIPMENT LOCATED HEREON ARE LOCATED WITHIN THE EASEMENT PROFILES AND ARE CALLED OUT OR COVERED AS A RESULT OF WORK PERFORMED AS PROVIDED FOR HEREON AND THAT THE RIGHTS OF OTHERS SHALL BE RESTRICTED TO UNDERGROUND UTILITY SERVICE.



VICINITY MAP  
NO SCALE

**SURVEYOR'S CERTIFICATE**  
THIS IS TO CERTIFY THAT AT THE REQUEST OF THE OWNER I HAVE SURVEYED AND PLATTED THE MANORS AT MORNINGSIDE AS SHOWN HEREON AND CONTAINING 15.87 ACRES OF LAND IN LORAIN COUNTY AND STATE OF OHIO. AT ALL POINTS TRVERSELY BOUND TO THE MANORS AT MORNINGSIDE, THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE OHIO SURVEYING ACT, CHAPTER 473-37, AND THE SURVEY MEETS THE NEAREST STANDARDS FOR LAND SURVEYS IN SECTION 473-37 OF THE OHIO ADMINISTRATIVE CODE AND ALLEGED PROPERTY INTERESTS HAVE BEEN CONSIDERED IN PERFORMANCE OF THIS SERVICE. ALL OF WHICH I CERTIFY TO BE CORRECT.

DAVID L. BIRCH  
REGISTERED SURVEYOR NO. 6338



**MORTGAGEES CERTIFICATE**  
THIS IS TO CERTIFY THAT THE UNDERSIGNED, REPRESENTING THE BANK OF AMERICA, NATIONAL ASSOCIATION, HAS BEEN THE MORTGAGEE OF THE LAND DESCRIBED WITHIN THE PLAT OF THE MANORS AT MORNINGSIDE, DOES HEREBY ACCEPT IT TO BE CORRECT, AND CONSENTS HEREBY TO PUBLIC USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

REPRESENTATIVE: \_\_\_\_\_ TITLE: \_\_\_\_\_  
WITNESSES: \_\_\_\_\_

### MORTGAGEE'S NOTARY CERTIFICATE

STATE OF OHIO  
LORAIN COUNTY, SS  
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE OF OHIO, DO SOLEMNLY APPEAR \_\_\_\_\_ WHO KNOWS THE CONTENTS OF THE FOREGOING PLAT AND THAT HE HAS HEREBY SET BY FREE AND VOLUNTARY ACT AND DEED, IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BY COMMISSION EXPIRES \_\_\_\_\_  
DATE: \_\_\_\_\_

### LORAIN CITY SURVEYOR CERTIFICATE

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT OF THE MANORS AT MORNINGSIDE AND FIND SAID SURVEYOR'S SERVICE TO BE CORRECT AND ACCORDANT WITH THE OHIO SURVEYING ACT AND APPROVED CODES. I HAVE SET MY HAND AND OFFICIAL SEAL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

DATE: \_\_\_\_\_

### COUNCIL CERTIFICATE

THIS IS TO CERTIFY THAT THE FOREGOING PLAT OF THE MANORS AT MORNINGSIDE HAS BEEN REVIEWED BY THE COUNCIL OF THE CITY OF LORAIN, OHIO, AND IS IN ACCORDANCE WITH THE OHIO SURVEYING ACT AND APPROVED CODES.

DATE: \_\_\_\_\_

### LAW DIRECTOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE FOREGOING PLAT OF THE MANORS AT MORNINGSIDE IS IN ACCORDANCE WITH THE OHIO SURVEYING ACT AND APPROVED CODES.

DATE: \_\_\_\_\_

### PARK DEPARTMENT CERTIFICATE

THIS IS TO CERTIFY THAT THE REQUIREMENTS OF SECTION 1111.06 OF THE OHIO REVENUE CODE, CHAPTER 111, SECTION 1111.06, HAVE BEEN MET AND THAT THE PLAT IS IN ACCORDANCE WITH THE OHIO SURVEYING ACT AND APPROVED CODES.

RECORD PLAT  
**THE MANORS AT MORNINGSIDE SUBDIVISION**  
BLACK RIVER TOWNSHIP ORIGINAL LOT NO. 1, TRACT 3  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

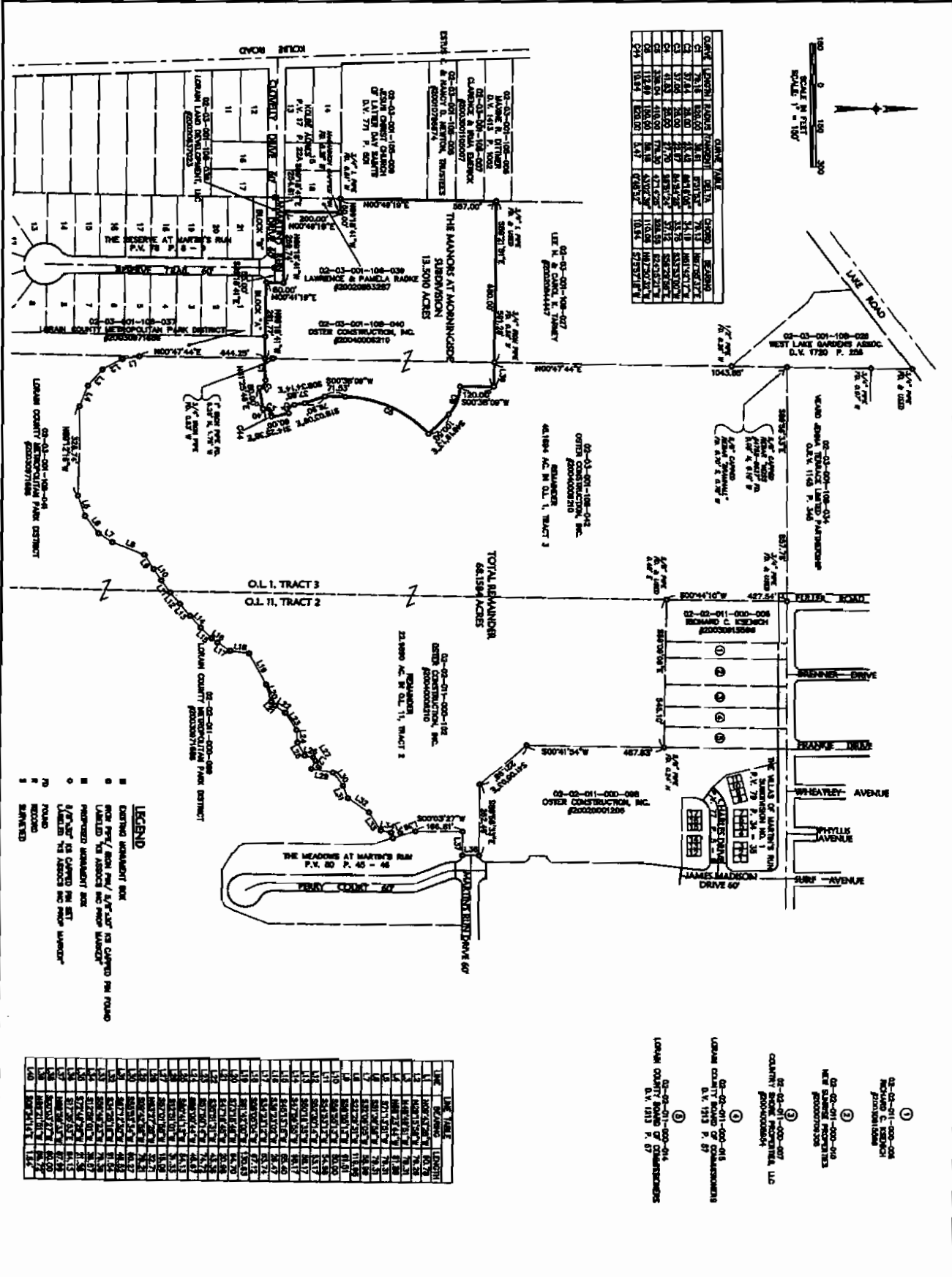
**KS**  
K&S ASSOCIATES

| DATE | DESCRIPTION | BY |
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BY: \_\_\_\_\_  
DATE: \_\_\_\_\_  
SIGNED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

LORAIN COUNTY AUDITOR: \_\_\_\_\_  
LORAIN COUNTY RECORDER: \_\_\_\_\_

SHEET 1 OF 3  
JOB NO. 04018



| LOT | OWNER        | AREA | REMARKS     |
|-----|--------------|------|-------------|
| 1   | MAHON, R. D. | 0.15 | RESIDENTIAL |
| 2   | MAHON, R. D. | 0.15 | RESIDENTIAL |
| 3   | MAHON, R. D. | 0.15 | RESIDENTIAL |
| 4   | MAHON, R. D. | 0.15 | RESIDENTIAL |
| 5   | MAHON, R. D. | 0.15 | RESIDENTIAL |
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| 99  | MAHON, R. D. | 0.15 | RESIDENTIAL |
| 100 | MAHON, R. D. | 0.15 | RESIDENTIAL |

**RECORD PLAT**  
**THE MANORS AT MORNINGSIDE**  
**SUBDIVISION**

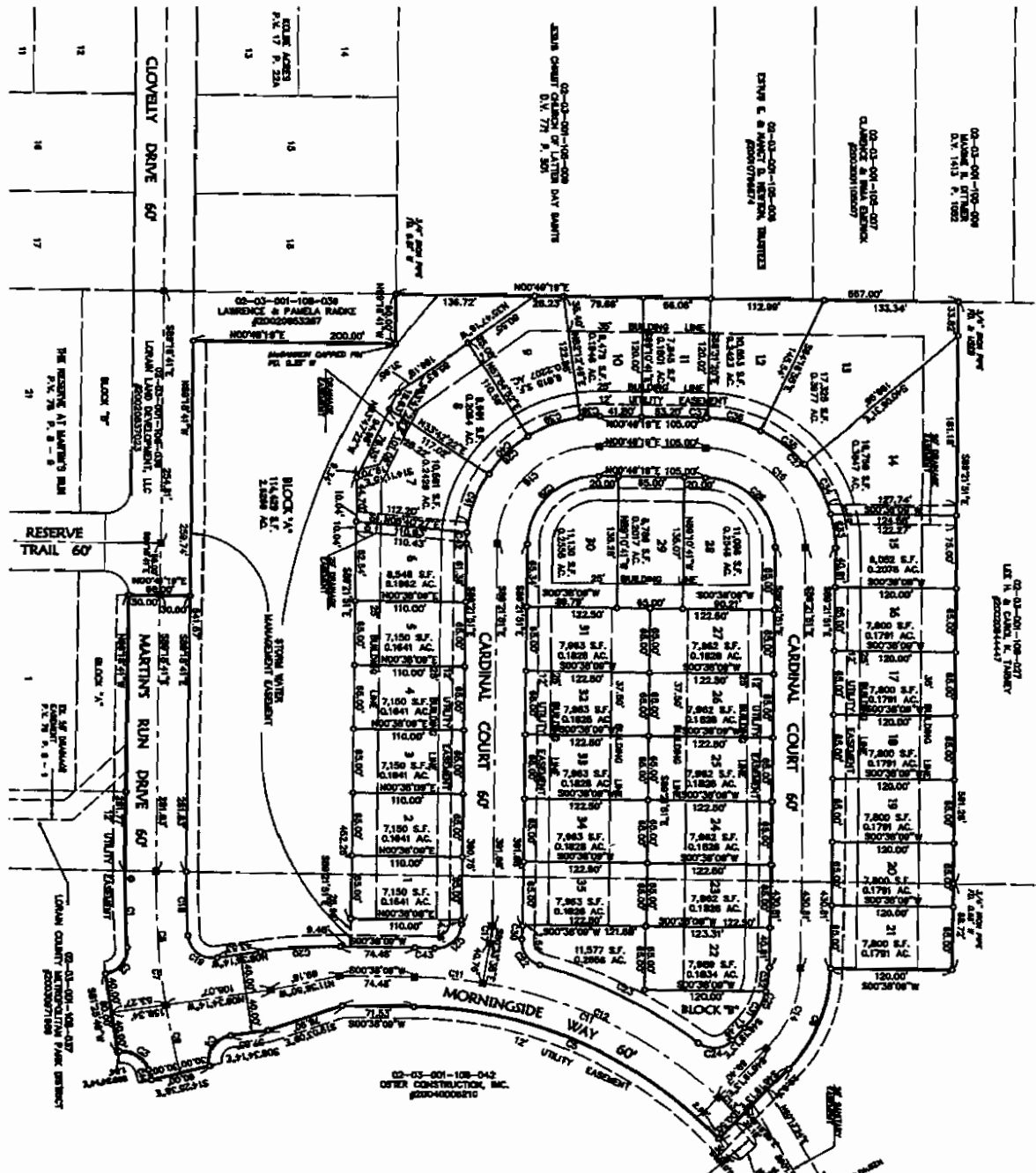
OF PART OF  
BLACK RIVER TOWNSHIP ORIGINAL LOT NO. 1, TRACT 3  
CITY OF LOBAIN COUNTY OF LOBAIN STATE OF OHIO

KS Resources, Inc.  
100 Canal Rd., Suite 100  
Lobain, Ohio 43034  
Phone (614) 365-0200  
Fax (614) 365-0200  
www.kresources.com

| DATE | DESCRIPTION | BY |
|------|-------------|----|
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|      |             |    |
|      |             |    |
|      |             |    |

SHEET 2 OF 3

DATE 3/22/2006



| LOT NO. | AREA (S.F.) | AREA (AC.) | OWNER            |
|---------|-------------|------------|------------------|
| 01      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 02      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 03      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 04      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 05      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 06      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 07      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 08      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 09      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 10      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 11      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 12      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 13      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 14      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
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| 29      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 30      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |
| 31      | 11,096 S.F. | 0.2526 AC. | 02-03-01-108-009 |

**LEGEND**

- EXISTING ROADWAY BOX
- NON "P" / "S" / "A" / "C" / "S" IS CAPPED PER FOUND LABELS "AS ASSIGNED PER FOUND"
- PROPOSED ROADWAY BOX
- "A" / "C" / "S" IS CAPPED PER SET
- LABELED "AS ASSIGNED PER FOUND"
- RECORD SURVEY
- PROPOSED
- FOUND

**GRAPHIC SCALE**  
0 50 100  
SCALE IN FEET

RECORD PLAN  
**THE MANORS AT MORNINGSIDE SUBDIVISION**  
OF PART OF  
BLACK HAWK TOWNSHIP ORIGINAL LOT NO. 1, TRACT 3  
CITY OF MORAIN COUNTY OF MORAIN STATE OF OHIO



| DATE | DESCRIPTION | BY |
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SHEET 3 OF 3  
JOB NO. 04086