

CERTIFICATE OF FILING

State of Ohio }
Lorain County } SS

COMM. RES. 84-489

I, JULIAN A. PIJOR, the duly elected, qualified and acting Auditor in and for the
County and State aforesaid, do hereby certify that -----
Mona L. Walsh

the duly elected, qualified and acting ----- Clerk for Board of Commissioners

in and for said ----- County of Lorain, Ohio,

and ex-officio Fiscal Officer for said District, has this day officially filed in the office of
the Auditor of Lorain County a certified copy of ----- Petition for Annexation

of unincorporated territory to City of Oberlin-

~~providing for~~ Description: Situated in Township of Russia, County of Lorain,
~~in the sum of~~ State of Ohio & being a part of Original Lot 78 of said Twp.,
~~xxxxxx~~ containing - 53.5795 Acres of land.

Owners of territory sought - C.M. & M. Development, Inc.
Acting as agent of petitioners - Fred. C. Jones

WITNESS my hand and Official Seal at Elyria, Ohio this 23rd day of May 1984.

Julian A. Pajor
County Auditor in and for
Lorain County, Ohio

(SEAL)

2007

#16542
APPROVED
LORAIN CO.
MAP DEPT.

DATE 1-14-86
PAGE 9-00-078 A
BY T. McManis
VOID

RESOLUTION No. 84-489

In the matter of providing for the)
annexation of certain property in)
Russia Township to the City of)
Oberlin) May 24, 1984

WHEREAS, The Clerk of the Board of Lorain County Commissioners gave notice to the Board on the filing with her on date of May 23, 1984 a petition for annexing property located in Russia Township to the City of Oberlin, Lorain County, Ohio, and that same was filed with the Lorain County Auditor for the purpose of public inspection as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that we do and hereby record the following petition:

To the Board of County Commissioners
Lorain County, State of Ohio

The undersigned, being a majority of the owners of real estate in the following described territory within the County of Lorain and adjacent to the City of Oberlin, to wit:

Situated in the Township of Russia, County of Lorain, and State of Ohio and being a part of Original Lot 78 of said Township, bounded and described as follows:

Beginning at an iron pin found in a monument box in the centerline of East Lorain Street (State Route 10) at its intersection with the centerline of Oberlin Road; said point also being the southwesterly corner of Original Lot 78.

Thence in the centerline of Oberlin Road, North $0^{\circ}38'30''$ West a distance of 200.03 feet to a point in the Northerly corporation line of the City of Oberlin and the principal place of beginning of lands herein described.

Thence continuing in said centerline, North $0^{\circ}32'20''$ West a distance of 1075.99 feet to a point in the Southwesterly corner of land conveyed to James Kennedy and Ivie Kennedy by deed dated May 19, 1957 and recorded in Deed Volume 1175, Page 262 of the Lorain County Record of Deeds.

Thence in a Southerly line of said Kennedy' lands, South $67^{\circ}34'30''$ East, passing through an iron pin found 30.12 feet from said centerline a distance of 192.72 feet to a point at the Southeasterly corner thereof, passing through an iron pin found 7.36 feet Westerly therefrom.

Thence in the Easterly line of lands, North 3°33'32" West, a distance of 234.30 feet to an iron pin set at the Northeasterly corner thereof.

Thence in the Northerly line of said Kennedy' lands, North 87°03'59" West, a distance of 124.08 feet to an iron pin set in the Southeasterly line of the Conrail Road.

Thence in said line, North 35°23'00" East, a distance of 719.93 feet to an iron pin found at the Southwesterly corner of land conveyed to the B.C. Land Company by deed dated December 20, 1973 and recorded in Deed Volume 1093, Page 509 of the Lorain County Record of Deeds.

Thence in the Southerly line of said B.C. Land Company's land, North 88°39'00" East, a distance of 859.47 feet to an iron pin set in the westerly line of said B.C. Land Company's land as aforesaid.

Thence in the Westerly line of said B.C. Land Company and the Westerly line of land conveyed to Dayton E. Vinaster and Ann Livingston by Torrens Deed dated April 20, 1981 and recorded in Deed Volume 30, Page 252 of the Lorain County Record of Torrens' Lands, South 17°5'40" East a distance of 1876.10 feet to a point in the Northerly corporation line of the City of Oberlin.

Thence in said line South 33°20'00" West, parallel to and 272.5 feet Northerly from by rectangular measurement, to the centerline of East Lorain Street, a distance of 1254.54 feet to the principal place of beginning of land herein described.

Containing within said bounds 53.5195 Acres of Land.

Surveyed by Landon, Simon, Cahl & Associates, Inc., in January 1984.

An accurate map of which territory is hereto attached, respectfully petition that the above described property be annexed to the City of Oberlin.

* Fred C. Jones is hereby authorized to act as Agent of the petitioners in securing such annexation with full power to amend this petition.

The number of owners of real estate in the territory sought to be annexed is one. C.M. & M. Development, Inc., is the only owner of real estate and is seized of a freehold estate in land in the territory sought to be annexed and is the petitioner.

Resolution No. 84-489
Continued

C.M. & M. Development, Inc., has not become an owner of real estate by a conveyance the primary purpose of which is to effect the number of owners required to sign this annexation petition.

FURTHER BE IT RESOLVED that the 9th day of August, 1984 at 11:00 A.M., D.S.T. be and the same is hereby fixed by the Board as the time for the hearing on the proceedings in the office of Lorain County Commissioners, County Administration Building, 226 Middle Avenue, Elyria, Ohio, which date is not less than sixty days after the filing of such petition with the Auditor. A certified copy of the resolution is to be filed with the Agent of the petitioners for the purpose of notifying the petitioners of the time and place for hearing all in accordance with law.

BE IT FURTHER RESOLVED that said petitioners shall cause notice containing the substance of said petition and the time and place where hearings will be had thereon to be four consecutive weeks to the time fixed for the hearing and shall deliver a copy of the notice to the Clerk of the Township, any portion which is included within the territory sought to be annexed and to the Clerk of the legislative authority of the municipal corporation to which annexation is proposed.

The foregoing resolution was introduced upon a motion by Commissioner Leonard P. Reichlin, seconded by Commissioner Fred M. Ritenauer, and the vote taken thereon resulted as follows: Leonard P. Reichlin, "aye"; Fred M. Ritenauer, "aye"; Ronald L. Nabakowski, "aye".

Motion carried.

I, Mena L. Walsh, Clerk of the Board of Commissioners of Lorain County, Ohio, do hereby certify that the above Resolution No. 84-489 is a true copy as it appears in Journal No. 84 on the date of May 24, 1984.

7-10-1973
601010

84 MAY 23 8 01 33

PETITION FOR ANNEXATION
OF UNINCORPORATED TERRITORY
TO CITY OF OBERLIN

MORAL WALSH
CLERK

To the Commissioners of Lorain County
State of Ohio

The undersigned, being a majority of the owners of real estate in the following described territory within the County of Lorain and adjacent to the City of Oberlin, to wit:

Situated in the Township of Russia, County of Lorain, and State of Ohio and being a part of Original Lot 78 of said Township, bounded and described as follows:

Beginning at an iron pin found in a monument box in the centerline of East Lorain Street (State Route 10) at its intersection with the centerline of Oberlin Road; said point also being the Southwesterly corner of Original Lot 78.

Thence in the centerline of Oberlin Road, North 0°38'30" West, a distance of 200.03 feet to a point in the Northerly corporation line of the City of Oberlin and the principal place of beginning of lands herein described.

Thence continuing in said centerline, North 0°38'30" West a distance of 1075.99 feet to a point in the Southwesterly corner of land conveyed to James Kennedy and Ivie Kennedy by deed dated May 19, 1977 and recorded in Deed Volume 1175, Page 262 of the Lorain County Record of Deeds.

Thence in a Southerly line of said Kennedy's lands, South 87°34'30" East, passing through an iron pin found 30.12 feet from said centerline a distance of 192.72 feet to a point at the Southeasterly corner thereof, passing through an iron pin found 7.36 feet Westerly therefrom.

Thence in the Easterly line of lands, North 3°33'32" West, a distance of 234.30 feet to an iron pin set at the North-easterly corner thereof.

Thence in the Northerly line of said Kennedy's lands, North 87°03'59" West, a distance of 124.08 feet to an iron pin set in the Southeasterly line of the Corral Road.

Thence in said line, North 35°23'00" East, a distance of 719.93 feet to an iron pin found at the Southwesterly corner of land conveyed to the B.C. Land Company by deed dated December 20, 1973 and recorded in Deed Volume 1093, Page 509 of the Lorain County Record of Deeds.

Thence in the southerly line of said B.C. Land Company's land, North 88°39'00" East, a distance of 805.47 feet to an iron pin set in the Westerly line of said B.C. Land Company's land as aforesaid.

Thence in the Westerly line of said B.C. Land Company and the Westerly line of land conveyed to Dayton E. Livingston and Ann Livingston by Torrens Deed dated April 20, 1981 and recorded in Deed Volume 30, Page 252 of the Lorain County Record of Torrens' Lands, South 1°05'40" East a distance of 1876.30 feet to a point in the Northerly corporation line of the City of Oberlin.

Thence in said line South 88°20'26" West, parallel to and 200.00 feet Northerly from, by rectangular measurement, the centerline of East Lorain Street, a distance of 1354.54 feet to the principal place of beginning of land herein described.

Containing within said bounds 53.5795 Acres of land.

Surveyed by Laudon, Simon, Cahl & Associates, Inc., in January, 1984.

An accurate map of which territory is hereto attached, respectfully petition that the above described property be annexed to the City of Oberlin.

Fred C. Jonesis hereby authorized to act as agent of the petitioners in securing such annexation with full power to amend this petition.

The number of owners of real estate in the territory sought to be annexed is one. C.M. & M. Development, Inc., is the only owner of real estate and is seized of a freehold estate in land in the territory sought to be annexed and is the petitioner.

C.M. & M. Development Inc., has not become an owner of real estate by a conveyance the primary purpose of which is to effect the number of owners required to sign this annexation petition.

C.M. & M. DEVELOPMENT, INC.

BY: Gene A. Mauk
GENE A. MAUK, Its President



LAUNDON • SIMON • CAHL & ASSOC., INC.
CONSULTING ENGINEERS & SURVEYORS

COPY

May 9, 1984
JOB NO. 84-1255

DESCRIPTION FOR C. E. & M. DEVELOPMENT, INC.

LANDS TO BE ANNEXED TO THE CITY OF OBERLIN, OHIO

Situated in the Township of Russia, County of Lorain and State of Ohio and being a part of Original Lot 78 of said township, bounded and described as follows:

Beginning at an iron pin found in a monument box in the centerline of East Lorain Street (State Route 10) at its intersection with the centerline of Oberlin Road; said point also being the Southwesterly corner of Original Lot 78.

Thence in the centerline of Oberlin Road, North $0^{\circ} 38' 30''$ West, a distance of 200.03 feet to a point in the Northerly corporation line of the City of Oberlin and the principal place of beginning of lands herein described.

Thence continuing in said centerline, North $0^{\circ} 38' 30''$ West, a distance of 1075.99 feet to a point at the Southwesterly corner of land conveyed to James Kennedy and Ivie Kennedy by deed dated May 19, 1977 and recorded in Deed Volume 1175, Page 262 of the Lorain County Record of Deeds.

Thence in the Southerly line of said Kennedy' lands, South $87^{\circ} 34' 30''$ East, passing through an iron pin found 30.12 feet from said centerline a distance of 192.72 feet to a point at the Southeasterly corner thereof, passing through an iron pin found 7.36 feet Westerly therefrom.

Thence in the Easterly line of said lands, North $0^{\circ} 33' 32''$ West, a distance of 234.30 feet to an iron pin set at the Northeasterly corner thereof.

Thence in the Northerly line of said Kennedy' lands, North $87^{\circ} 03' 39''$ West, a distance of 124.08 feet to an iron pin set in the Southeasterly line of the Conrail Road.

Thence in said line, North $35^{\circ} 23' 00''$ East a distance of 719.93 feet to an iron pin found at the Southwesterly corner of land conveyed to the B. C. Land Company by deed dated December 20, 1973 and recorded in Deed Volume 1093, Page 503 of the Lorain County Record of Deeds.

Thence in the Southerly line of said B. C. Land Company's land, North $88^{\circ} 39' 00''$ East, a distance of 859.47 feet to an iron pin set in the Westerly line of said B. C. Land Company's land as aforesaid.

Thence in the Westerly line of said B. C. Land Company and the Westerly line of land conveyed to Dayton E. Livingston and Ann Livingston by Torrens Deed dated April 20, 1981 and recorded in Deed Volume 30, Page 252 of the Lorain County Record of Torrens' Lands, South $1^{\circ} 05' 40''$ East a distance of 1876.30 feet to a point in the Northerly corporation line of the City of Oberlin.

Thence in said line South $88^{\circ} 20' 26''$ West, parallel to and 200.00 feet Northerly from, by rectangular measurement, the centerline of East Lorain Street, a distance of 1354.54 feet to the principal place of beginning of land herein described.

Containing within said bounds 53.5795 Acres of land.

Surveyed by Laundon, Simon, Cahl & Associates, Inc., in January, 1984.

RESOLUTION No. 84- 862

In the matter of granting a petition)
presented by Fred C. Jones, agent,)
for the petitioners, to annex property)
in Russia Township to the City of) September 20, 1984
Oberlin.)

WHEREAS, The Board of Commissioners of Lorain County, Ohio, proceeded, this day to hear the petition filed by Fred C. Jones, agent, to act for the petitioners, requesting annexation of property in Russia Township to the City of Oberlin; said petition containing a full description of the territory sought to be annexed, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition and being fully advised finds, that said petition contains all the matters required by law; that its statements are true, that the territory included in the annexation petition is not unreasonably large; the map is accurate; that said petition is signed by a majority of the persons who are owners of real estate located in the area to be annexed; that the required legal notice of the petition has been given, and that an affidavit certifying signatures has been filed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that the territory described in said petition being part of Original Russia Township Lot No. 78, containing approximately 53.5795 Acres of Land more or less may be annexed to the City of Oberlin. A certified transcript is to be forwarded to the City of Oberlin regarding this approval.

MAP ? DESCRIPTION ?

The foregoing resolution was introduced upon a motion by Commissioner Ronald L. Nabakowski, seconded by Commissioner Fred M. Ritenauer, and the vote taken thereon resulted as follows: Ronald L. Nabakowski, "aye"; Fred M. Ritenauer, "aye"; Leonard P. Reichlin, "aye".

Motion carried.

I, Mona L. Walsh, Clerk, Lorain County Commissioners do hereby certify that this is a true copy of resolution No. 840862 as it appears in Journal No. 1984 on date of September 20, 1984.

Mona L. Walsh

ORDINANCE NO. 1832 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 53.5795 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF OWNER C. M. AND M. DEVELOPMENT, INC.

WHEREAS, a petition for the annexation of certain territory containing approximately 53.5795 acres of land within Russia Township was duly filed by owner C. M. and M. Development, Inc.; and,

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on September 20, 1984; and,

WHEREAS, said Board of Commissioners has approved the annexation of the territory to the City of Oberlin, as hereinafter described; and,

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Clerk of Council who received same on October 5, 1984; and,

WHEREAS, sixty (60) days from the date of that filing have now elapsed in accordance with the provisions of Section 709.04 of the Ohio Revised Code;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected there-to concurring:

SECTION 1. That the application of C. M. and M. Development, Inc. for the annexation of the following described territory in the County of Lorain and adjacent to the City of Oberlin, to-wit:

Situated in the Township of Russia, County of Lorain, and State of Ohio and being a part of Original Lot 78 of said Township, bounded and described as follows:

Beginning at an iron pin found in a monument box in the centerline of East Lorain Street (State Route 10) at its intersection with the centerline of Oberlin Road; said point also being the southwesterly corner of Original Lot 78.

Thence in the centerline of Oberlin Road, North $0^{\circ}38'30''$ West a distance of 200.03 feet to a point in the Northerly corporation line of the City of Oberlin and the principal place of beginning of lands herein described.

Thence continuing in said centerline, North $0^{\circ}38'30''$ West a distance of 1075.99 feet to a point in the Southwesterly corner of land conveyed to James Kennedy and Ivie Kennedy by deed dated May 19, 1977 and recorded in Deed Volume 1175, Page 262 of the Lorain County Record of Deeds.

Thence in a Southerly line of said Kennedy' lands, South $87^{\circ}34'30''$ East, passing through an iron pin found 30.12 feet from said center-line a distance of 192.72 feet to a point at the Southeasterly corner thereof, passing through an iron pin found 7.36 feet West-erly therefrom.

Thence in the Easterly line of lands, North $3^{\circ}33'32''$ West, a dis-tance of 234.30 feet to an iron pin set at the Northeasterly cor-ner thereof.

Thence in the Northerly line of said Kennedy' lands, North $87^{\circ}03'59''$ West, a distance of 124.08 feet to an iron pin set in the South-easterly line of the Conrail Road.

Thence in said line, North $35^{\circ}23'00''$ East, a distance of 719.93 feet to an iron pin found at the Southwesterly corner of land conveyed to the B. C. Land Company by deed dated December 20, 1973 and recorded in Deed Volume 1093, Page 509 of the Lorain County Record of Deeds.

Thence in the Southerly line of said B. C. Land Company's land, North $88^{\circ}39'00''$ East, a distance of 859.47 feet to an iron pin set in the westerly line of said B. C. Land Company's land as afore-said.

Thence in the Westerly line of said B. C. Land Company and the West-erly line of land conveyed to Dayton E. Livingston and Ann Livingst-
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South $1^{\circ}05'40''$ East a distance of 1876.30 feet to a point in the
Northerly corporation line of the City of Oberlin.

Thence in said line South $88^{\circ}20'26''$ West, parallel to and 200.00 feet Northerly from, by rectangular measurement, to the center-line of East Lorain Street, a distance of 1354.54 feet to the prin-cipal place of beginning of land herein described.

Containing within said bounds 53.5795 Acres of Land.

Surveyed by Laudon, Simon, Cahl & Associates, Inc., in January, 1984.

an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the Board of County Commissioners of Lorain County in relation thereto are on file with the Clerk of Council of said City, be and the same is hereby accepted.

SECTION 2. That said territory so annexed is hereby zoned "R-1A", single-family dwelling district, pursuant to Section 1329.03 of the Codi-fied Ordinances of the City of Oberlin, and is hereby subject to all con-ditions stipulated under such district and all other regulations and

restrictions of the City of Oberlin now or hereinafter promulgated.

SECTION 3. That the Clerk of Council is hereby authorized and directed to make three (3) copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to Julian A. Pijor, Lorain County Auditor, one copy to Dorothy Essex, Lorain County Recorder, and one copy to Sherrod Brown, Secretary of State, and shall file notice of this annexation with the Lorain County Board of Elections within thirty (30) days after it becomes effective, and shall do all other things required by law therein.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - December 17, 1984
2nd Reading - January 7, 1985
3rd Reading - January 22, 1985 - TABLED; February 4, 1985 (EMERGENCY)

ATTEST:

Julie A. Simonson
Clerk of Council

Harriet A. Arnold
Chairman of Council

POSTED: February 5, 1985

I do hereby certify that the above and foregoing is a true and correct copy of Ordinance #1832 AC CMS as passed by the City Council of the City of Oberlin.

Witness my hand and seal of the City of Oberlin, Ohio this 10th day of February, 1985.
Julie A. Simonson
City Clerk, City of Oberlin, Ohio