## RESOLUTION NO. 91-984

In the matter of granting annexation) of 13.7355 acres of land in Carlisle) Township to the City of Elyria

November 11, 1991

WHEREAS, on date of April 4, 1991, a Petition was filed with the Clerk, giving notice to the Commissioners of a request for proposed annexation of approximately 13,7355 acres of land in Carlisle Township to the City of Elyria; and

WHEREAS, the Lorain County Engineer reviewed the accuracy of the Petition and map and by letter dated April 24, 1991, submitted his report indicating there were no discrepancies; and

WHEREAS, pursuant to a resolution adopted by the Board of County Commissioners on April 30, 1991, fixing July 11, 1991 at 11:00 a.m. for hearing the petition of Highland Development Co. praying for the annexation of certain territory in Carlisle Township to the City of Elyria, such public hearing was held as ordered; and

WHEREAS, Carlisle Township, by and through its Board of Trustees, has expressed no objection to the petition; and

WHEREAS, opportunity was provided but no person appeared objecting to the proposed annexation; and

WHEREAS, petitioners appeared at said hearing, represented by its attorney and agent, Stephen Bond, and presented testimony by Dale Yost, principal of Highland Development Co., and other evidence, including stipulations of the facts required under Revised Code Section 709.033, all of which was received into the Record;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, as follows:

- 1. This Board finds and determines as follows:
  - A. The petition contains all matter required by law including, without limitation:
    - A full description and accurate map of the territory to be annexed;
    - A statement of the total number of owners of real estate in the territory sought to be annexed;

- c. The name of the person to act as agent for the Petitioners.
- B. The matters alleged in the petition are true.
- C. Notice of the petition has been published as required by law, and all notices of filing the petition and the hearings thereon have been given and delivered as required by law.
- D. The persons whose names are subscribed to the petition are owners of the real estate in the territory described in the petition, and as of the time the petition was filed, the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed (they are the sole owners). None of the signatures has been withdrawn pursuant to R.C. 709.03 or 709.32.
- E. The City of Elyria has complied with division (B) of R.C. 709.031, having adopted its Resolution No. 91-122 on July 9, 1991.
- F. The territory included in the annexation petition is not unreasonably large.
- G. The territory proposed for annexation is adjacent to the City of Elyria.
- H. The map and description of the territory contained in the petition are accurate.
- I. The general good of the territory sought to be annexed will be served if the annexation petition is granted and the annexation is allowed.
- 2. The prayer of the petition is hereby granted, and the territory described in the petition and as shown in Exhibit "A" attached thereto and incorporated therein as if fully rewritten is Ordered annexed to the City of Elyria.
- 3. A certified copy of the final transcript of this Board of County Commissioners relating to the findings and orders of this Board, together with the accompanying map and petition and all other papers pertaining thereto shall be delivered forthwith to the Clerk of the City of Elyria.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that we do and hereby grant said petition for annexation for the premises described as follows:

## ANNEXATION PARCEL 13.7355 ACRES CARLISLE TOWNSHIP

Situated in the Township of Carlisle, County of Lorain, State of Ohio, being known as part of Carlisle Township Section No. 5 and more definitely described as follows:

Beginning at the intersection of the centerline of Abbe Road and the line between Elyria Township and Carlisle Township. Thence South  $1^{\,O}$  10' East in the centerline of Abbe Road, a distance of 30.00 feet to a point.

Thence South 89° 21' East in the northerly line of land conveyed to Highland Development Corporation as recorded in Volume 1285, Page 479 of Lorain County Deed Records, a distance of 22.51 feet to a point in the easterly sideline of Abbe Road; said easterly sideline being the existing corporation line of the City of Elyria, said point is the principal place of beginning.

Thence continuing South 89 $^{\circ}$  21' East in Highland Development Corporation's northerly line a distance of 686.96 feet to Highland Development Corporation's northeasterly corner and a point in the westerly line of land conveyed to Barbara Bacsi as recorded in Volume 340, Page 213 of Lorain County Official Records.

Thence South 0  $^{\circ}$  46' West in Highland Development Corporation's easterly line a distance of 913.90 feet to the northeasterly corner of land conveyed to Floyd T. and Dona M. Payne as recorded in Volume 795, Page 553 of Lorain County Deed Records.

Thence North 89 0 42' 30" West in the Paynes' northerly line a distance of 655.99 feet to a point in the easterly sideline of Abbe Road.

Thence North 1  $^{o}$  10' West in the easterly sideline of Abbe Road, said line being parallel with and 22.50 feet distance easterly from the centerline of said road, a distance of 249.94 feet to a point in the southerly line of land conveyed to Richard J. and Joanne Gilles as recorded in Volume 787, Page 645 of Lorain County Deed Records.

Thence South 89  $^{o}$  34' East in the Gilles' southerly line a distance of 167.49 feet to the Gilles' southeasterly corner.

Thence North 1  $^{o}$  10' West in the Gilles' easterly line a distance of 100.00 feet to the Gilles' northeasterly corner.

Thence North 89° 34' West in the Gilles' northerly line a distance of 167.49 feet to a point in the easterly sideline of Abbe Road.