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STRATEGIC PLANNING

AN ORDINANCE PURSUANT TO OHIO REVISED CODE SECTION 709.031 INDICATING WHAT SERVICES THE CITY OF ELYRIA WILL PROVIDE UPON ANNEXATION TO TERRITORY OWNED BY HELEN L. COLLINS, AND DECLARING AN EMERGENCY.

- S. Guinta
- R. McFrederick
- G. Gibbs
- W. Grace
- E. Burkhard
- T. Shores
- E. Rothgery
- L. Tanner

WHEREAS, Dale Yost, Agent for Petitioner Helen L. Collins has petitioned the Board of Commissioners of Lorain County, Ohio, to annex to the City of Elyria certain parcels of land and more fully described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the City of Elyria is desirous of having said territory described in Exhibit "A" annexed to the City of Elyria; and

WHEREAS, pursuant to Ohio Revised Code Section 709.031 (A), the Board of Commissioners of Lorain County, Ohio, have set November 3, 1994 at 11:00 a.m. in the Commissioners' Hearing Room, 4th Floor, Lorain County Administration Building, 226 Middle Avenue, Elyria, Ohio, as the time and place for the hearing on the petition of Helen L. Collins; and

WHEREAS, on August 17, 1994, Jack Lesnick, Clerk of Council of the City of Elyria, received notice of the time and place for the hearing on said Petition; and

WHEREAS, Ohio Revised Code Section 709.031 (B) requires that the City of Elyria adopted by ordinance a statement indicating what services the City of Elyria will provide upon annexation to the territory owned by said petitioners, and proposed for annexation to the City of Elyria.

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

SECTION 1: That the City of Elyria will provide, upon annexation, to the territory described in Exhibit "A", and owned by Helen L. Collins, which territory is proposed for annexation to the City of Elyria, Ohio, the following services: police, fire, garbage collection, storm sewer and sanitary sewer, subject to connection from the existing storm sewer and sanitary sewer lines, contingent upon the property owner paying for the cost of connection. Water service will be provided subject to the property owner paying for the cost of connection and equivalent assessment fee. Said property owner shall provide the City of Elyria with the necessary ingress/egress easements for repair and maintenance of said utility lines on private property. Said services shall be provided at the rates and fees as established by this Council for such services.

SECTION 2: That a certified copy of this Ordinance shall be delivered to the Board of Commissioners of Lorain County, Ohio, prior to November 3, 1994, by the Clerk of Council.

SECTION 3: It is hereby determined by the Council of the City of Elyria that the territory described in Section 1 above shall be a part of Ward 3 of the City.

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ord. No. 94-210
 JACK LESNICK, CLERK OF COUNCIL
 CITY OF ELYRIA, OHIO

DATE: 11/2/94

SECTION 4: 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 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 be and hereby is 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; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 9/19/94 Shirley G. Guinta
Shirley G. Guinta, President

ATTEST: Jack Lesnick APPROVED: 9/19/94
Jack Lesnick, Clerk

Michael B. Keys
Michael B. Keys, Mayor

DATE: 9-20-94

Approved as to form:
Terry S. Shilling
Terry S. Shilling, Solicitor

CERTIFICATE OF PUBLICATION

I, THE UNDERSIGNED CLERK OF COUNCIL OF THE CITY OF ELYRIA, OHIO, HEREBY CERTIFY THAT THE FULL TEXT OF THE FOREGOING ORDINANCE NO. 94-710 WAS POSTED IN THREE PLACES WITHIN THE CITY AS DETERMINED BY COUNCIL, AND THAT SUCH PLACES WERE AS FOLLOWS: CITY HALL, CENTRAL FIRE STATION, AND THE POLICE STATION, FOR A PERIOD OF FOURTEEN (14) DAYS, TO-WIT, FROM:

_____ TO _____
DATED: _____

CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

Date Presented to Mayor: 9/20/94

AMENDED PETITION FOR ANNEXATION

TO: BOARD OF COUNTY COMMISSIONERS
OF LORAIN COUNTY, OHIO

I, the undersigned, being a competent adult individual seized of a freehold estate in the within described territory, and being a majority of the owners of the real estate as hereinafter more fully described, do hereby petition for the annexation of said territory to the City of Elyria, Lorain County, Ohio, to wit;

Situated in the Township of Carlisle, County of Lorain and State of Ohio, being known as part of Original Carlisle Township Section No. 5, and more particularly bounded and described as follows: Commencing at a point in the centerline of Chestnut Ridge Road on the westerly line of Chestnut Ridge Heights Subdivision No. 1, as recorded in Volume 29, Pages 70 and 71 of Lorain County Plat Records; Thence northerly along the westerly line of Chestnut Ridge Heights Subdivision No. 1, a distance of about 30.14 feet to a point on the northerly right of way line of Chestnut Ridge Road, 60 feet wide; said point being on the easterly line of lands conveyed to Helen N. Collins, as recorded in Deed Volume 1123, Page 208 of Lorain County Deed Records; said point also being the point of beginning of the land herein described; thence northerly along Collins' easterly line, a distance of about 588.76 feet to a point at Collins' northeasterly corner; said point being on the southerly line of lands conveyed to Elyria East Little League, Inc., as recorded in Official Record Volume 749, Page 730 of Lorain County Records; Thence westerly along Collins' northerly line, a distance of about 69.98 feet to a point at Collins' northwesterly corner; thence southerly in Collins' westerly line; said line being the easterly line of lands conveyed to Mary K. Noonan, as recorded

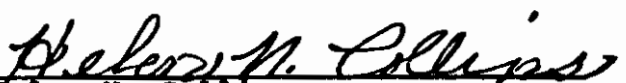
in Official Record Volume 637, Page 885 of Lorain County Records, a distance of about 595.42 feet to a point on the northerly right of way line of Chestnut Ridge Road, 60 feet wide; thence easterly along the northerly right of way line of Chestnut Ridge Road, a distance of 70 feet to the point of beginning of this description; Contained within said bounds 0.952 acres, to be the same, more or less, but subject to all legal highways and easements of record.

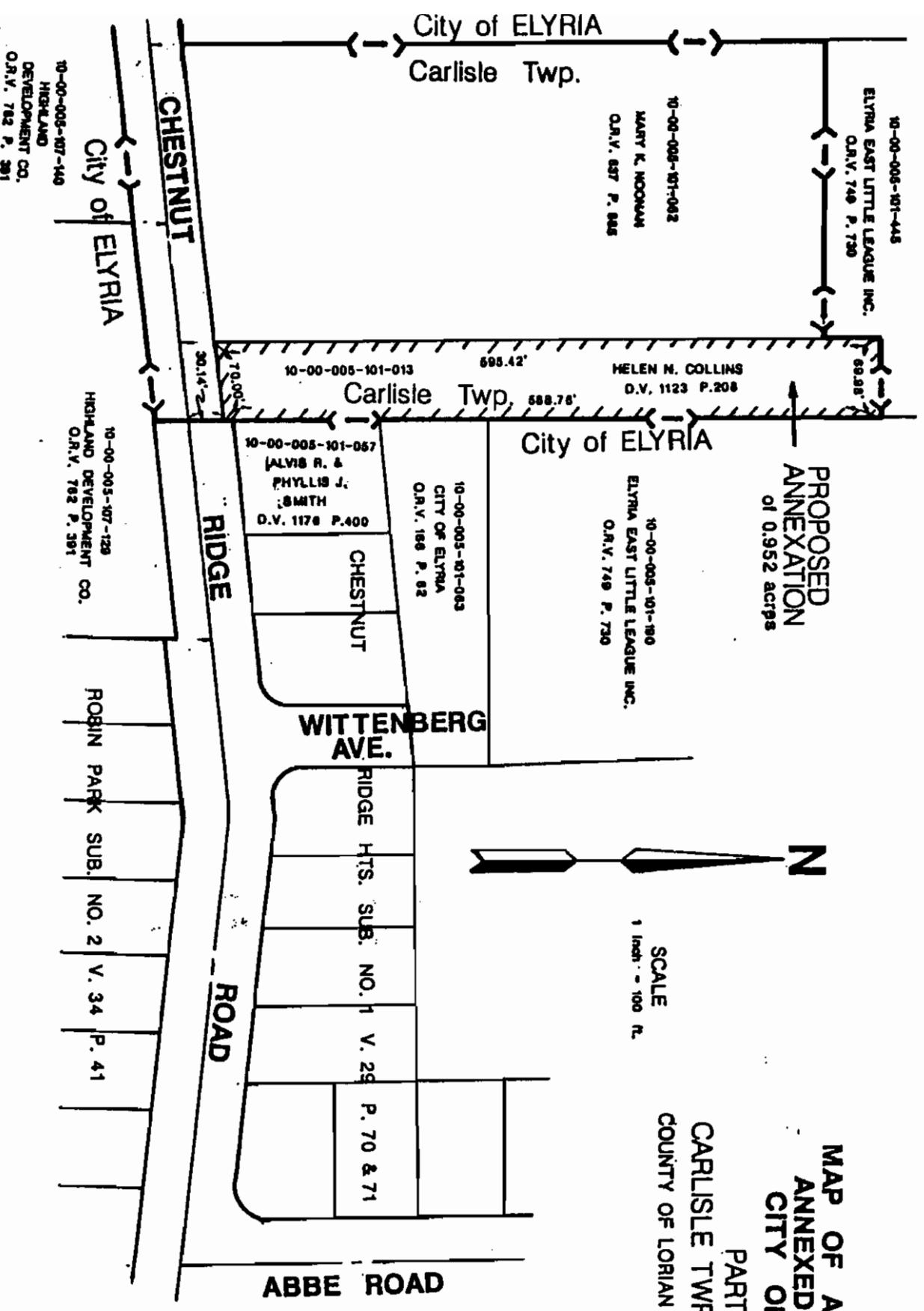
The within territory is adjacent to the said City of Elyria, Ohio.

Petitioner has attached hereto and made a part of this Amended Petition an accurate map showing the boundaries of the territory sought to be annexed marked "Map of Area to be Annexed to the City of Elyria."

Petitioner states there is one (1) owner of real estate in the territory sought to be annexed.

Dale Yost, 194 Windbrook, Elyria, Ohio 44035 is hereby appointed agent for the undersigned Petitioner as required by O.R.C. 709.92 with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase, decrease or delete the area; to do any and all things essential thereto and to take any action necessary for obtaining the granting of this Amended Petition without further expressed consent of the Petitioner.


Helen N. Collins
39130 Chestnut Ridge Road
Elyria, Ohio 44035



MAP OF AREA TO BE ANNEXED TO THE CITY OF ELYRIA

PART OF
 CARLISLE TWP. SECTION 5
 COUNTY OF LORIAN STATE OF OHIO



SCALE
 1 inch = 100 ft.