

Sponsored by:

STRATEGIC PLANNING

- S. Guinta
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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 KEITH M. OSKINS, DENISE A. OSKINS, AND HIGHLAND DEVELOPMENT CO., AND DECLARING AN EMERGENCY

WHEREAS, Dale Yost, Agent for Petitioner Keith M. Oskins, Denise A. Oskins, and Highland Development Co., 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 October 6, 1994 at 2:00 p.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 Keith M. Oskins, Denise A. Oskins, and Highland Development Co.

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 adopt 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 Keith M. Oskins, Denise A. Oskins and Highland Development Co., 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 Highland Development Corporation completing the storm sewer, sanitary sewer and water main which is located in East Hampton Subdivision No. 3 and adjacent to the street right of way of the territory to be annexed. Upon said completion, Highland Development Corporation shall transfer the storm sewer, sanitary sewer and water main to the City for public use and maintenance. 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 October 6, 1994, by the Clerk of Council.

CERTIFICATION
 I HEREBY CERTIFY THAT THIS IS AN EXACT AND
 TRUE COPY OF Ord. No. 94-212
 Jack Lesnick 9/22/94
 JACK LESNICK, CLERK OF COUNCIL DATE
 CITY OF ELYRIA, OHIO

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.

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. 94-213 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

PETITION FOR ANNEXATION

TO: BOARD OF COUNTY COMMISSIONERS
OF LORAIN COUNTY, OHIO

We, the undersigned, being competent adult individuals 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, State of Ohio, being known as part of Original Carlisle Township Section No. 5, and more definitely described as follows: Beginning at the northeasterly corner of Sublot No. 27 of Chateau Estates Subdivision No. 2, as recorded in Volume 34, Pages 25 through 27 of Lorain County Plat Records; said point being on the westerly right-of-way line of Bayberry Drive, 60 feet wide; Thence North 89° 46' 8" West along the northerly line of Chateau Estates Subdivision No. 2, a distance of 160.52 feet to a stone monument found at the southeasterly corner of lands conveyed to Edward and Clara Machovina, as recorded in Official Record Volume 905, Page 125 of the Lorain County Records; Thence North 0° 47' 37" East in the easterly line of lands conveyed to Machovina and the easterly line of lands conveyed to Edward E. and Cecilia Kinter, as recorded in Official Record Volume 902, Page 165 of Lorain County Records, a distance of 110.00 feet to a point at the northwesterly corner of lands conveyed to Highland Development Company, as

recorded in Official Record Volume 836, Page 296 of Lorain County Records; Thence South 89° 46' 08" East along Highland Development Company's northerly line, a distance of 158.62 feet to a point; Thence South 0° 12' 11" East along the easterly line of lands conveyed to Highland Development Company and the easterly line of lands conveyed to Keith M. and Denise A. Oskins, as recorded in Official Record Volume 657, Page 416 of Lorain County Records, a distance of 110.00 feet to the point of beginning of this description; Containing within said bounds 0.403 acres, to be the same, more or less, but subject to all legal highways and easements of record.