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34 FEB 23 1994

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 CYNTHIA M. ANDRZEJCZYK, MARSHA A. ANDRZEJCZYK, GLORIA L. KRAJESKI, JOSEPH C. ZAVALA AND THE CITY OF ELYRIA, AND DECLARING AN EMERGENCY.

CLERK

WHEREAS, Cynthia M. Andrzejczyk, Marsha A. Andrzejczyk, Gloria L. Krajieski, Joseph C. Zavala and the City of Elyria have 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 March 31, 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 Cynthia M. Andrzejczyk, Marsha A. Andrzejczyk, Gloria L. Krajieski, Joseph C. Zavala and the City of Elyria; and

WHEREAS, on February 11, 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 Cynthia M. Andrzejczyk, Marsha A. Andrzejczyk, Gloria L. Krajieski, Joseph C. Zavala and the City of Elyria, which territory is proposed for annexation to the City of Elyria, Ohio, the same services that the City regularly and customarily provides to real estate located within the City of Elyria and at the rates and fees as established by this Council for such services, which services shall include, but not be limited to, police, fire, water, sewer, sanitation, and garbage collection.

SECTION 2: That a certified copy of this Ordinance shall be delivered to the Board of Commissioners of Lorain County, Ohio, prior to March 31, 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 6 of the City.

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 94-38
 Jack Lesnick, CLERK OF COUNCIL
 CITY OF ELYRIA, OHIO
 DATE 2/25/94

EXHIBIT "A"

Situated in the Township of Elyria, County of Lorain and State of Ohio and known as being part of Original Lot Nos. 24 and 13, West of Black River bounded and described as follows:

Beginning at an iron pin found in the Northerly line of Lowell Street and the present Westerly corporation line of Elyria City.

Thence Northerly, along the Westerly Lot line of Original Elyria Township Lot no. 25; which is also a present corporation line between the City of Elyria and Elyria Township; a distance of 2119.99 feet to an iron pin found, said point is also North-East corner of present Elyria Township boundary.

Thence Westerly; along the present corporation line between the City of Elyria and Elyria Township a distance of 714 feet to an iron pin, said point is also North-West corner of land owned by Krajewski, Gloria L. per Lorain County Deed Vol. 715 page 111.

Thence Southerly, along the present corporation line between the City of Elyria and Elyria Township a distance of 1520.69 feet to an iron pin.

Thence Easterly, along the present corporation line between City of Elyria and Elyria Township a distance of 217.48 feet.

Thence Southerly, along the present corporation line between City of Elyria and Elyria Township a distance of 594.25 feet to an iron pin, said pin also lies on the Northerly line of Lowell Street.

Thence continuing Southerly, along the present corporation line between City of Elyria and Elyria Township a distance of 66.00 feet to a point, said point lies on Southerly line of Lowell Street.

Thence Westerly, along the Southerly line of Lowell Street to a point, said point also lies on the Northerly property line of New York-Central Rail-Road.

Thence South-Easterly along the Northerly line of New York-Central Rail-Road, a distance of 330.29 feet to a point, said point also lies on corporation line between City of Elyria and Elyria Township.

Thence Northerly along the present corporation line between City of Elyria and Elyria Township a distance of 91.32 feet to a point, said point also lies on Southerly line of Lowell Street.

Thence continuing Northerly along the present corporation line between City of Elyria and Elyria Township a distance of 33.00 feet to a point, said point also lies on center line of Lowell Street.

Thence Easterly along center line of Lowell Street to a point, said point is also a point of intersection of center line of Lowell Street and Westerly line of original Lot no. 25.

Thence Northerly along the Westerly lot line of original Elyria Township Lot no. 25 to the place of beginning.

Containing within said boundaries the area of land is 26.11 acres.

The above-described territory is adjacent and contiguous with the said City of Elyria.

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: 2/22/94 Shirley G. Guinta
Shirley G. Guinta, President

ATTEST: Jack Lesnick APPROVED: 2/22/94
Jack Lesnick, Clerk

Michael B. Keys
Michael B. Keys, Mayor

DATE: 2-23-94

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- 38 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