

In the matter of granting)
 Annexation of property in)
 Amherst Township to the Village)
 of South Amherst, Ohio.) March 23, 1995
 Attorney Thomas Januzzi, Agent)
 for the Petitioners)

WHEREAS, after due and legal notice, this is the date fixed for the Public Hearing; and

WHEREAS, petition was submitted to this office on December 28, 1994 for the proposed Annexation of approximately 3.6095 acres in Amherst Township to the Village of South Amherst; and

WHEREAS, Assistant County Prosecutor M. Robert Flanagan, administered an oath to those wishing to comment on this annexation; and

WHEREAS, Attorney Thomas Januzzi made a brief statement on the proposed Annexation. Mr. Januzzi stated that property owners Daniel and Stephanie Hyster presently have some of their property located within the Village and a portion in the Township; and

WHEREAS, Attorney Januzzi indicated if this proposed Annexation is granted, Mr. and Mrs. Hyster will make application to the Village to split their four (4) lots; and

WHEREAS, Commissioner Jacoby read the Ohio Revised Code, Sections 709.02 - 709.032 pertaining to Annexations. Attorney Januzzi responded that all sections of the Ohio Revised Code were in compliances; and

WHEREAS, the Commissioners entertained questions from property owners and representatives from the Amherst Township Trustees to express their objection and/or approval to the proposed Annexation; and

WHEREAS, Mr. David Uriq, Amherst Township Trustee expressed his objection to this Annexation; and

WHEREAS, Mr. Dennis Abraham, Amherst Township Trustee stated that the Trustees usually object to losing Township property, but in his opinion and Lucille Nagy, Amherst Township Trustee who was unable to attend the hearing, feel approval of this Annexation is in the best interest of all parties, and for the property owners to make use of their land.

Resolution No. 95-264 con't.

NOW, THEREFORE, BE IT RESOLVED upon the Annexation, Petition provided and report from the Lorain County Engineer Department indicating no discrepancies, we do and hereby grant said petition for Annexation for the premises that follows:

Situated in the Township of Amherst, County of Lorain and State of Ohio, and being known as part of Original Amherst Township Lot No. 91, bounded and described as follows:

Beginning at a point in the centerline of Milan-Elyria Road, 66 feet in width, at its intersection with the southerly line of Original Lot No. 91;

Thence South $88^{\circ} 59' 50''$ West in the southerly line of said Original Lot No. 91, a distance of 43.87 feet to an iron pin found set in the northwesterly sideline of Milan-Elyria Road; said point also being in the northeasterly line of land conveyed to Space Tracer, Inc., as recorded in Volume 218, Page 936 of Lorain County Official Records;

Thence North $49^{\circ} 47' 47''$ West in the northeasterly line of Space Tracer, Inc., a distance of 362.23 feet to a $5/8''$ rebar with cap set;

Thence North $38^{\circ} 11' 16''$ East in the line parallel to the centerline of Milan-Elyria Road, a distance of 437.19 feet to a $5/8''$ rebar with cap set;

Thence North $49^{\circ} 47' 47''$ West, a distance of 293.55 feet to a $5/8''$ rebar with cap set;

Thence North $34^{\circ} 27' 28''$ East, a distance of 198.98 feet to an iron pin found set in the westerly most corner of land conveyed to Old Fashioned Grace Baptist Church of South Amherst, as recorded in Volume 1387, Page 880 of Lorain County Deed Records;

Thence South $42^{\circ} 45' 13''$ East in the southwesterly line of Old Fashioned Grace Baptist Church of South Amherst, a distance of 232.81 feet to a point in the line between the Village of South Amherst and Amherst Township;

Thence South $0^{\circ} 17' 15''$ East in the line between the Village of South Amherst and Amherst Township, a distance of 759.31 feet to the principal place of beginning;

Enclosing a parcel containing 3.6095 acres, but subject to all legal highways as surveyed by Phil A. Rosebeck, Registered Surveyor No. 6696 of KS Associates, Inc., Engineers and Surveyors, in August of 1994.

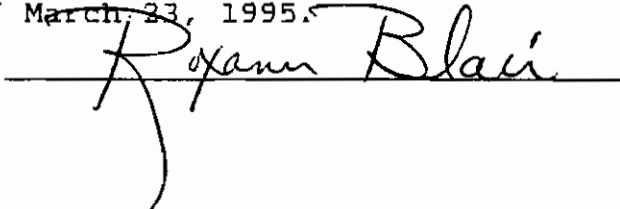
FURTHER BE IT RESOLVED the Commissioners, hereby determines this to be for the benefit of the public convenience and welfare, and serves the general good of the territory.

BE IT FURTHER RESOLVED, 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 to the Village of South Amherst, Ohio.

The foregoing resolution was introduced upon a motion by Commissioner Herbert J. Jacoby, seconded by Commissioner Mary Jo Vasi, and upon roll call, the vote taken thereon resulted as follows: both voted in favor of the motion. Commissioner Elizabeth C. Blair absent on vacation leave.

Motion carried.

I, Roxann Blair, Clerk to the Board of Commissioners of Lorain County, Ohio, hereby certify that this is a true copy of Resolution No. 95-264 as it appears in Journal No. 95 on the date of March 23, 1995.


A handwritten signature in cursive script, reading "Roxann Blair", is written over a horizontal line. The signature is positioned to the right of the typed text above.

LORAIN COUNTY

COMMISSIONERS



Commissioners

**Herbert J. Jacoby
Mary Jo Vasi
E.C. (Betty) Blair**

December 28, 1994

Mr. Frank Colbert
Lorain County Tax Map
226 Middle Avenue
Elyria, Ohio 44035

Dear Mr. Colbert:

We are referring the attached annexation request to your attention for certain property in Amherst Township to the Village of South Amherst. Thomas Januzzi, Esquire, is acting as Agent for the Petitioners, Daniel L. Hyster and Glorbanic L. Hyster. Please review and advise your findings as to the accuracy of the Petition and Map.

A Public Hearing will be scheduled after we received your report.

Yours truly,

Virgil J. Muntean,
County Administrator

VJM/dw

Enclosures

cc: file


BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
LORAIN COUNTY, OHIO

PETITION FOR ANNEXATION
TO THE VILLAGE OF SOUTH AMHERST, OHIO, OF
3.6095 ACRES, MORE OR LESS,
IN AMHERST TOWNSHIP

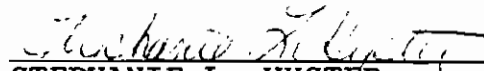
The undersigned ("Petitioners") petition for the annexation of the real property described in Exhibit "A" attached to this Petition (the "Territory") to the Village of South Amherst, Lorain County, Ohio (the "Village"). The territory consists of 3.6095 acres, more or less, located adjacent to and contiguous with the Village. Petitioners have attached as Exhibit "B" and made a part of this Petition an accurate map (or plat) showing the boundaries of the Territory. The number of owners of real estate in the Territory is two (2).

Thomas A. Januzzi, Attorney at Law, is appointed agent for Petitioners as required by Section 709.02 of the Ohio Revised Code and is granted full power and authority to amend, alter, change, correct, withdraw or refile this Petition, increase or decrease the size of the territory and do any and all things necessary essential to this Petition and take any other action necessary pertaining to the granting of this Petition.

Petitioners:



DANIEL J. HYSTER



STEPHANIE L. HYSTER

CLERK
LORAIN COUNTY

34 DEC 28 PM 2: 51

RECEIVED
LORAIN COUNTY
COMMISSIONERS



424 Middle Avenue • P.O. Box 89 • Elyria, Ohio 44036

Job No. 94-468
November 22, 1994
PARCEL TO BE ANNEXED - 3.6095 ACRES

Situated in the Township of Amherst, County of Lorain and State of Ohio, and being known as part of Original Amherst Township Lot No. 91, bounded and described as follows:

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Thence South 0° 17' 15" East in the line between the Village of South Amherst and Amherst Township, a distance of 759.31 feet to the principal place of beginning;

EXHIBIT "A"

Job No. 94-468

November 22, 1994

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Page 2

Enclosing a parcel containing 3.6095 acres, but subject to all legal highways as surveyed by Phil A. Rosebeck, Registered Surveyor No. 6696 of KS Associates, Inc., Engineers and Surveyors, in August of 1994.

**PLAN OF PROPOSED ANNEXATION
TO THE VILLAGE OF SOUTH AMHERST**
PART OF ORIGINAL AMHERST TOWNSHIP LOT NO. 81
TOWNSHIP OF AMHERST & PART OF VILLAGE OF S. AMHERST
COUNTY OF LORAIN & STATE OF OHIO
JULY 1994



LEGEND
 ○ 100' P.W. FILLING
 ○ 100' P.W. SET

(05-00-081-10-013)
 DANIEL J. & STEPHANIE L. MYSTER
 O.R.V. 956 P. 591
 55,0000 Acreage Rec

48,1248 Acreage Rec.
 (48,1248 Ac. Amherst Twp.)

WILLIAM R. MILLER & MARLYN K. MILLER
 D.V. 1025 P. 975

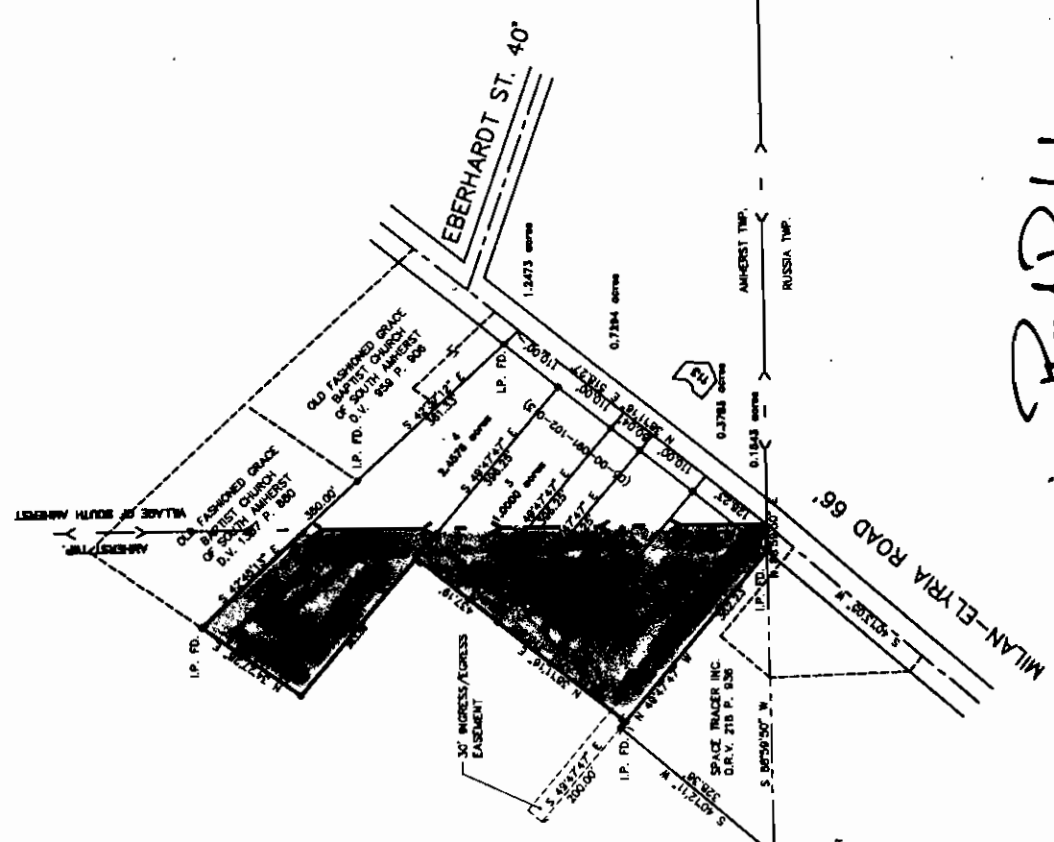


EXHIBIT "B"

RS

FOR ALL SERVICES
 CONTACT: 614-885-3333

RS ASSOCIATES, INC.

10000 W. STATE ST. SUITE 100
 COLUMBUS, OHIO 43240
 (614) 885-3333
 FAX: (614) 885-3334
 WWW: WWW.RSASSOCIATES.COM

STATE: OHIO COUNTY: LORAIN JOB NO: 94-008

DATE: 7/29/94
 DRAWN BY: J.M.
 CHECKED BY: J.M.
 DATE: 7/29/94
 TITLE: PLAN OF ANNEXATION

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
LORAIN COUNTY, OHIO

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TO THE VILLAGE OF SOUTH AMHERST, OHIO, OF
3.6095 ACRES, MORE OR LESS,
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Petitioners:



DANIEL J. HYSTER



STEPHANIE L. HYSTER

ROXANNE CLARK
CLERK

94 DEC 28 PM 12:51

RECEIVED
LORAIN COUNTY
COMMISSIONERS



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PART OF ORIGINAL AMHERST TOWNSHIP, LOT NO. 81
TOWNSHIP OF AMHERST & PART OF VILLAGE OF S. AMHERST
COUNTY OF LODIAN & STATE OF OHIO
MAY 1994

LEGEND
○ BURN PIN PLANT
○ BURN PIN SET

(05-00-091-01-013)
DANIEL J. & STEPHANIE L. HYSTER
D.E.V. 936 P. 391
53,0000 Acres Rec.

48,1248 Acres Rem.
(48,1248 Ac. Amherst Twp.)

WILLIAM R. MILLER & MARILYN K. MILLER
D.V. 1028 P. 973

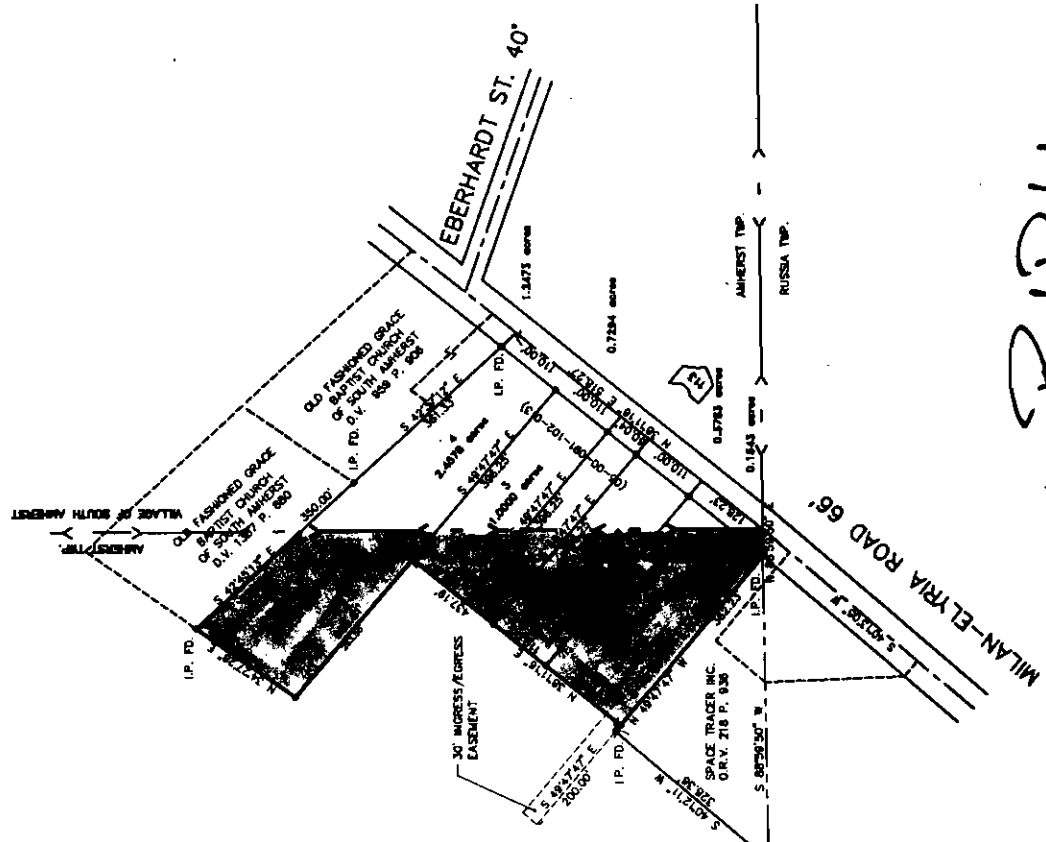


EXHIBIT "B"

R. P. R. L.
R. P. R. L.
R. P. R. L.

KS ASSOCIATES, INC.
10000 W. 100th St., Suite 100
Overland Park, KS 66214
Tel: (913) 666-1100
Fax: (913) 666-1101
www.ksassoc.com

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Overland Park, KS 66214
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Fax: (913) 666-1101
www.ksassoc.com

LORAIN COUNTY TAX MAP DEPARTMENT
RECORD OF DEEDS & PLATS PROCESSED

ANNEXATION

RES 95-264
PASSED 3/25/95

No. 22667X

COMBINATION _____ CORRECTION _____ OTHER _____

DATE SUBMITTED FOR APPROVAL: 9 / 23 / 98

DEEDS _____ COPIES _____ SURVEY _____ MAP _____

INFORMANT _____

COMPANY _____ TELEPHONE _____

DATE COMPLETED 10 / 28 / 98 **OVER →**

DATE REJECTED / /

REASON ORIG TICKET # 21218X (1-24-95)

PROCESSED BY T. McMan MAP BY T. SPILLMAN 10/28/98

TAX MAP PAGE NO. 5-00-091-A+B

GRANTORS PERMANENT PARCEL NUMBER:

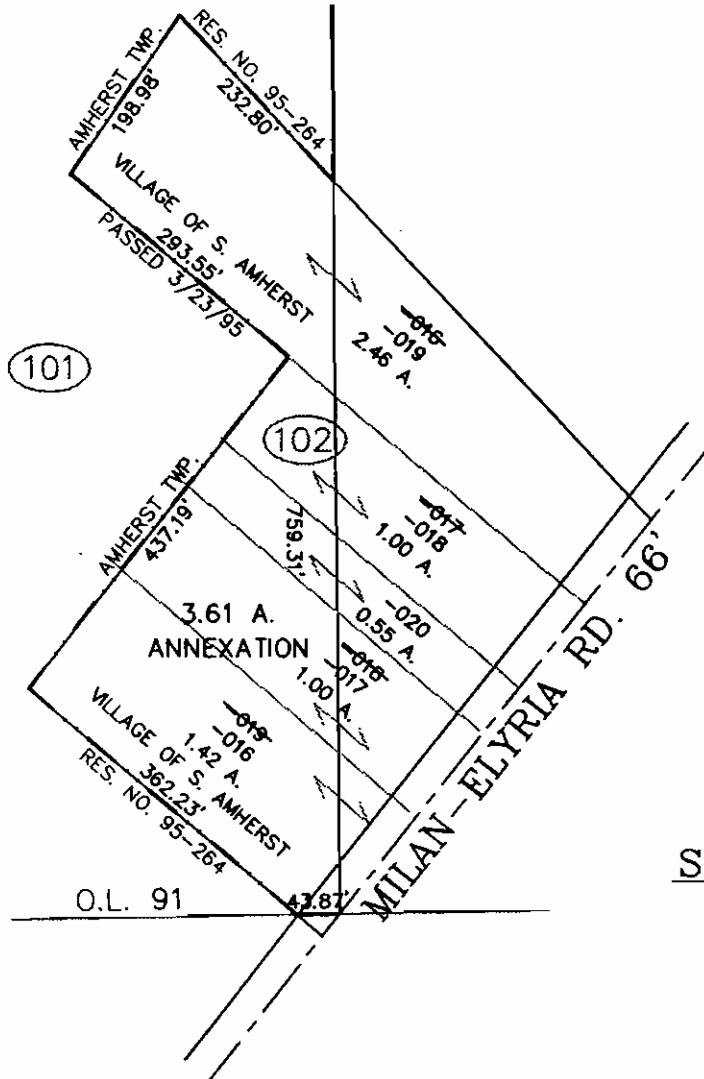
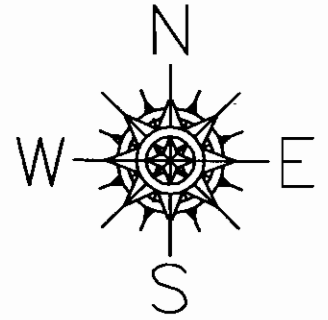
TWP.	TR.	O.L.	BLK.	NO.
05	06	091	101	013

PARENT PARCEL: 05-00-091-102-016 THRU -020

CHILD PARCEL: NONE

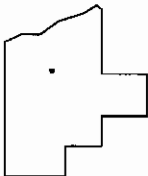
STARTING POINT: CL OF MILAN-ELYRIA RD. & IT'S INTERSECTION WITH THE SOUTH LINE OF O.L. 91

NO. 22667-X



SEE SPLIT #'S

- #21218-X
- #21591
- #21591-X
- #21665-X



SPLITS/DEEDS PROCESSED
 LORAIN COUNTY TAX MAP DEPARTMENT
 226 MIDDLE AVE. ELYRIA, OHIO

SURVEYED BY: PHIL A. ROSEBECK
 CLOSURE: NONE
 MAP PAGE(S): 05-00-091-A & B
 APPROVED BY: TJS DATE: 10/28/98
 SCALE: 1" = 200' PRIOR INSTRUMENT: NONE