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AN ORDINANCE ACCEPTING THE PETITION OF DALE YOST, AGENT FOR THE PETITIONER HELEN L. COLLINS, FOR ANNEXATION TO THE CITY OF ELYRIA OF 0.952 ACRES OF LAND, SITUATED IN CARLISLE TOWNSHIP, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the petition of Dale Yost, Agent for Petitioner Helen L. Collins, which petition was approved by the Lorain County Commissioners under Resolution No. 94-647 and received by the Clerk of Council's Office on September 8, 1994, for the annexation to the City of Elyria of 0.952 acres of land, situated in Carlisle Township, being a part of Original Carlisle Township Section No. 5, and further described in Exhibit "A" attached hereto and made a part hereof as if fully rewritten herein, being and the same is hereby accepted.

SECTION 2: It is hereby determined by the Council of the City of Elyria that the territory described in Exhibit "A" shall be a part of Ward 3 of the City.

SECTION 3: That the Clerk of Council shall make three (3) copies containing the petition, the map or plat accompany the Petition, a transcript of the proceedings of the Board of County Commissioners, and resolutions and ordinances in relation to the annexation, with a certificate to each copy that is correct. Such certificate shall be signed by the Auditor or Clerk in his official capacity, and shall be authenticated by the seal of the municipal corporation, if there is any. The Auditor or Clerk shall forthwith deliver one such copy to the County Auditor and one such such copy to the County Recorder, who shall make a record thereof in the proper book of records and preserve it. The other copy shall be forwarded by the Auditor or Clerk to the Secretary of State.

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.

NO TRANSFER NECESSARY
MARK L. STEWART
LORAIN COUNTY AUDITOR

DEPUTY

CERTIFICATION
I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 95-42
DATE 2/24/95
JACK LESNICK, CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

SECTION 5: That this Ordinance be and hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety 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: 2/20/95 Shirley G. Guinta
Shirley G. Guinta, President

ATTEST: Jack Lesnick APPROVED: 2/20/95
Jack Lesnick, Clerk

Michael B. Keys
Michael B. Keys, Mayor

DATE: 2-21-95

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. 95-42 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: 2-21-95

EXHIBIT "A"

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

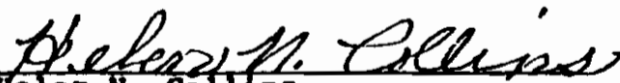
in Official Record Volume 637, Page 885 of Lorain County Records, a distance of about 595.42 feet to a point on the northerly right of way line of Chestnut Ridge Road, 60 feet wide; thence easterly along the northerly right of way line of Chestnut Ridge Road, a distance of 70 feet to the point of beginning 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