

21220-X

A.1

RESOLUTION NO. 95-467

In the matter of Annexation of)
39.32 acres of land from Grafton)
Township to the Village of Grafton) May 31, 1995

WHEREAS, this matter came for consideration before the Board of Commissioners of Lorain County at a Public Hearing held on April 5, 1995 and May 11, 1995 upon a petition for annexation from the Township of Grafton to the Village of Grafton; and

WHEREAS, the Commissioners find that said petition for the annexation of 39.32 acres was filed with the Clerk of the Board of Commissioners on January 5, 1995 by Richard G. Lillie as agent for petitioner, Village of Grafton, and James Saumer, agent for the petitioners, George and June Grundy; and

WHEREAS, the Commissioners find that the petition contains the information required in O.R.C. 709.02, including:

- a) a full description and accurate map of the territory sought to be annexed,
- b) a statement of the number of owners of real estate in the territory sought to be annexed,
- c) the name of the persons acting as agents for the petitioners

WHEREAS, the Commissioners find that a public hearing was scheduled for April 5, 1995, said date being not less than sixty days or more than ninety days following the filing of the petition; that the agents for the petitioners were notified of said hearing and subsequently caused notice of the substance of the petition, and the time and place of four consecutive weeks in a newspaper of general circulation in the county prior to the hearing, and delivered notice within seven days of scheduling the hearing to the Clerks of Grafton Township and Grafton Village; and

WHEREAS, the Commissioners find that the persons whose names are subscribed to the petition are owners of real estate in the territory in the petition, and the petition contained the valid signatures of a majority of the owners of real estate in said territory; and

WHEREAS, the Commissioners find that Grafton Village furnished a statement by resolution of its council indicating what services it would provide for said territory; and

WHEREAS, the Commissioners find at the hearing conducted on May 31, 1995, Richard Lillie as agent for petitioner, the Village of Grafton, orally requested pursuant to O.R.C. section 709.032 that the petition be amended to include only the property owned by said

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Village and to exclude the property owned by petitioners, George and June Grundy; and that James Saumer as agent for the petitioners George and June Grundy consented to said amendment and withdrew the Grundy's portion of the petition; and

WHEREAS, the Commissioners find that the petition as amended is not unreasonably large, the map is accurate and the general good of the territory sought to be annexed will be served.

NOW, THEREFORE BE IT RESOLVED based upon the recommendation from our Legal Council, Assistant County Prosecutor, Jerry Innes, we do and hereby amend annexation petition to delete property owned by George and June Grundy based upon her withdrawal as a petitioner from this annexation.

Mr. Innes advised the Board that the verbal withdrawal of the Grundy property is a legal course of action and will not void this annexation proceedings.

FURTHER BE IT RESOLVED that we do and hereby grant this annexation of approximately 33.5 acres in Grafton Township to the Village of Grafton, Ohio for the premises as follows:

Situated in the Township of Grafton, County of Lorain, State of Ohio, being known as part of Sublot Nos. 5 and 6, and the easterly part of Rawson Street in A. Rawson's Subdivision, as recorded in Volume 4, Page 3 of Lorain County Plat Records and part of Original Grafton Township Lot No. 18, and more definitely described as follows:

Beginning in the northeasterly corner of Original Lot No. 18;

Thence southerly in the easterly line of Original Lot No. 18, a distance of about 1794.65 feet to a point in the northeasterly sideline of Elyria-Medina Road, S.R. 57;

Thence northwesterly in the northeasterly sideline of Elyria-Medina Road, a distance of 70.13 feet to a point in the easterly line of land conveyed to Timothy J. and Mary L. Carter, as recorded in Volume 279, Page 277 of Lorain County Official Records;

Thence northerly in the Carters' easterly line, a distance of about 374.04 feet to the northeasterly corner thereof;

Thence northwesterly in the Carters' northeasterly line and the northeasterly line of land conveyed to Robert C. and Barbara Hill, as recorded in Volume 218, Page 833 of Lorain County Official Records, a distance of 377.00 feet to the northeasterly corner of land conveyed

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to George and June Grundy, as recorded in Volume 205, Page 882 of Lorain County Official Records;

Thence continuing northwesterly along the northerly line of land conveyed to George and June Grundy, as recorded in Deed Volume 205, Page 882 and Deed Volume 917, Page 641 of Lorain County Records to a point in the westerly line of land conveyed to the Village of Grafton, as recorded in Volume 621, Page 47 of Lorain County Deed Records;

Thence northerly in the Village of Grafton's northerly line, a distance of 194.00 feet to an angle point therein;

Thence northerly in the Village of Grafton's westerly line, a distance of about 91.00 feet to an angle point therein;

Thence westerly in the Village of Grafton's southerly line, a distance of 157.38 feet to an angle point;

Thence westerly in the Village of Grafton's westerly line, a distance of 215.3 feet to a point in the existing southerly corporation line of the Village of Grafton;

Thence easterly in the southerly corporation line of the Village of Grafton, a distance of about 600 feet to an angle point therein;

Thence northerly in the easterly corporation line of the Village of Grafton, a distance of about 630 feet to a point in the northerly line of Original Lot No. 18;

Thence easterly in the northerly line of Original Lot No. 18, a distance of about 1200 feet to the place of beginning;

Enclosing a parcel containing about 33.96 acres but subject to all legal highways.

BE IT FURTHER 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.

FURTHER BE IT 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 Grafton, Ohio.

BE IT FURTHER RESOLVED that the petition as amended, so as to include only the 33.96 acres of land owned by the Village of Grafton being permanent parcel number

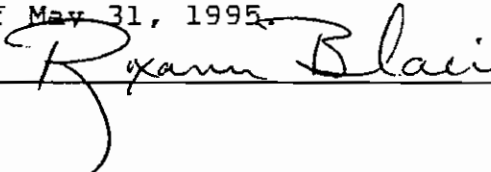
Resolution No. 95-467 con't.

16-00-018-102-030 and to exclude the land owned by George and June Grundy, being permanent parcel numbers 16-00-018-102-032 and -036, is hereby granted, and said parcel of land shall be annexed from the Township of Grafton to the Village of Grafton upon acceptance by the Village of Grafton.

The foregoing resolution was introduced upon a motion by Commissioner Betty Blair, seconded by Commissioner Herbert Jacoby, and upon roll call, the vote taken thereon resulted as follows: both voted in favor of the motion. Commissioner Mary Jo Vasi absent attending a meeting in Columbus, Ohio.

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. 95-467 as it appears in Journal No. 95 on the date of May 31, 1995.





VILLAGE OF GRAFTON
1009 Chestnut Street
Grafton, Ohio 44044
(216) 926-2401

JANUARY 5, 1995

LORAIN COUNTY COMMISSIONERS
LORAIN COUNTY ADMINISTRATION BUILDING
226 MIDDLE AVE.
ELYRIA, OH 44035

ROXANN BLAIR
CLERK

35 JAN 5 P12:02

RECEIVED
LORAIN COUNTY
COMMISSIONERS

DEAR COMMISSIONERS,

ENCLOSED PLEASE FIND A PETITION OF ANNEXATION OF ADJOINING TERRITORY FOR THE VILLAGE OF GRAFTON. ALSO ENCLOSED IS A PLAT OF THE PROPERTY AND A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE PETITION FOR ANNEXATION OF ADJOINING TERRITORY AND DIRECTING THE DIRECTOR OF LAW TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECTUATE THE ANNEXATION.

IF YOU HAVE ANY QUESTIONS OR NEED ANY FURTHER INFORMATION, PLEASE CONTACT MY OFFICE. THANK YOU FOR YOUR ASSISTANCE WITH THIS MATTER.

SINCERELY,

LINDA S. BALES
CLERK-TREASURER
GRAFTON VILLAGE

VILLAGE OF GRAFTON

RESOLUTION NO. 94-031

ROY ANN BLAIR
CLERK

35 JAN 5 PM 2: 03

RECEIVED
LORAIN COUNTY
COMMISSIONERS

INTRODUCED BY: *Mayor Keena*

MOTION BY: *Spencer*

SECONDED BY: *Frabotta*

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE PETITION FOR ANNEXATION OF ADJOINING TERRITORY AND DIRECTING THE DIRECTOR OF LAW TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECTUATE THE ANNEXATION

WHEREAS, The Village of Grafton desires to annex its land being pp no. 36-16-00-018-102-030 into the Village of Grafton; and

WHEREAS, The Village of Grafton has joined together with Mr. and Mrs. George Grundy who also desire to annex their land into the Village of Grafton, to file a petition with the Lorain County Commissioners; and

WHEREAS, The Village of Grafton as owner of said property may follow the procedures set forth in R.C. Sections 709.02 through 709.12 to annex said property.

WHEREAS, The desired annexation by all property owners was their voluntary act and will; and

WHEREAS, The City of the Village of Grafton desires to authorize the Mayor to sign the petition on behalf of the Village of Grafton and authorize the Director of Law to prosecute the proceedings necessary to effectuate the annexation.

NOW, THEREFORE, BE IT RESOLVED by the Village of Grafton, County of Lorain, State of Ohio;

Section 1. The Mayor be and she is hereby authorized and directed to execute the annexation petition attached hereto as exhibit "A" on behalf of the Village of Grafton.

Section 2. The Director of Law be and he is hereby directed to prosecute the necessary proceedings to effectuate said annexation into the Village of Grafton.

Section 3. The Clerk-Treasurer be and she is hereby authorized and directed to file said petition with a copy of this resolution with the Lorain County Commissioners.

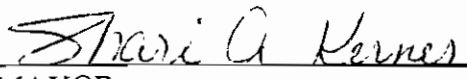
Section 4. That it is found and determined that all formal actions of this Council concerning and relating to adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 5. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

December 20, 1994
DATE PASSED



MAYOR

December 20, 1994
DATE APPROVED



CLERK-TREASURER

December 20, 1994
DATE ATTESTED

APPROVED AS TO FORM BY:



RICHARD G. MILLIE, DIRECTOR OF LAW

PETITION FOR ANNEXATION OF ADJOINING TERRITORY

TO: THE BOARD OF COUNTY COMMISSIONERS

LORAIN COUNTY, OHIO

The Village of Grafton, a municipal corporation, and George & June Grundy, husband and wife, petition by and through their agents, Richard G. Lillie, for the Village of Grafton and James Saumer, for Mr. and Mrs. Grundy, and state as follows:

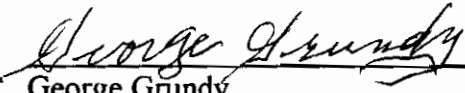
1. Petitioners are sole owners of property located at ppns. 36-16-00-018-102-030 and -032 and -036, in the Township of Grafton, County of Lorain, State of Ohio.
2. Petitioners desire to annex their property, described in exhibit "A" attached hereto and incorporated herein by reference, into the adjacent Village of Grafton, County of Lorain, State of Ohio.
3. Public Convenience and necessity require that such territory be annexed into the Village of Grafton.
4. A plat of municipal boundaries of the municipality as they will exist subsequent to the ratification of the annexation of the additional territory is attached and marked as exhibit "B" and incorporated herein by reference.
5. The property to be annexed encompasses part of the reservoir of the Grafton Village water supply. The annexation of the territory is necessary to the future growth and prosperity of the Village of Grafton.

WHEREFORE, Petitioners request that a date shall be set at the earliest possible time for the hearing of objections, if any, to the proposed enlargement of the Village of Grafton boundaries in accordance with law, and that upon final hearing of this petition, the Board of County Commissioners shall enter a proper decree ratifying, approving and confirming the annexation of said territory in to the Village of Grafton.

Respectfully submitted,

by: Village of Grafton


MAYOR SHARI KERNER


George Grundy


June Grundy

ROX ANNE BLAIR
CLERK

35 JAN 5 P12:02

RECEIVED
LORAIN COUNTY
COMMISSIONERS



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

Job No. 94-625
November 29, 1994
PROPOSED ANNEXATION TO THE VILLAGE OF GRAFTON

Situated in the Township of Grafton, County of Lorain, State of Ohio, being known as part of Sublot Nos. 5 and 6, and the easterly part of Rawson Street in A. Rawson's Subdivision, as recorded in Volume 4, Page 3 of Lorain County Plat Records and part of Original Grafton Township Lot No. 18, and more definitely described as follows:

Beginning in the northeasterly corner of Original Lot No. 18;

Thence southerly in the easterly line of Original Lot No. 18, a distance of about 1794.65 feet to a point in the northeasterly sideline of Elyria-Medina Road, S.R. 57;

Thence northwesterly in the northeasterly sideline of Elyria-Medina Road, a distance of 70.13 feet to a point in the easterly line of land conveyed to Timothy J. and Mary L. Carter, as recorded in Volume 279, Page 277 of Lorain County Official Records;

Thence northerly in the Carters' easterly line, a distance of about 374.04 feet to the northeasterly corner thereof;

Thence northwesterly in the Carters' northeasterly line and the northeasterly line of land conveyed to Robert C. and Barbara Hill, as recorded in Volume 218, Page 833 of Lorain County Official Records, a distance of 377.00 feet to the northeasterly corner of land conveyed to George and June Grundy, as recorded in Volume 205, Page 882 of Lorain County Official Records;

The following three courses are in the Grundys' easterly line:

Thence southeasterly, a distance of 58.31 feet to a point;

Thence southwesterly, a distance of 87.57 feet to a point

Thence southerly, a distance of about 241.75 feet to a point in the northeasterly sideline of the Elyria-Medina Road;

Job No. 94-625
November 29, 1994
PROPOSED ANNEXATION TO THE VILLAGE OF GRAFTON
Page 2

Thence northwesterly in the northeasterly sideline of the Elyria-Medina Road, a distance of about 191.45 feet to an angle point therein;

Thence westerly in the northerly sideline of the Elyria-Medina Road, a distance of about 563.28 feet to a point in the westerly line of land conveyed to the Village of Grafton, as recorded in Volume 621, Page 47 of Lorain County Deed Records;

Thence northerly in the Village of Grafton's westerly line, a distance of about 442.58 feet to an angle point therein;

Thence easterly in the Village of Grafton's northerly line, a distance of 194.00 feet to a an angle point therein;

Thence northerly in the Village of Grafton's westerly line, a distance of about 91.00 feet to an angle point therein;

Thence westerly in the Village of Grafton's southerly line, a distance of 157.38 feet to an angle point;

Thence westerly in the Village of Grafton's southerly line, a distance of 652.52 feet to the southwesterly corner thereof;

Thence northwesterly in the Village of Grafton's westerly line, a distance of 215.3 feet to a point in the existing southerly corporation line of the Village of Grafton;

Thence easterly in the southerly corporation line of the Village of Grafton, a distance of about 600 feet to an angle point therein;

Thence northerly in the easterly corporation line of the the Village of Grafton, a distance of about 630 feet to a point in the northerly line of Original Lot No. 18;

Thence easterly in the northerly line of Original Lot No. 18, a distance of about 1200 feet to the place of beginning;

Enclosing a parcel containing about 39.32 acres but subject to all legal highways.
