

RESOLUTION NO. 97-215

In the matter of the public hearing on the proposed )  
Annexation of approximately 0.59 acres in New Russia) March 20, 1997  
Township to the City of Oberlin, Ohio )

WHEREAS, after due and legal notice, this is the day fixed for the Public Hearing on the proposed Annexation of approximately 0.59 acres in New Russia Township to the City of Oberlin, Ohio - Attorney Garrett Murray, acting on behalf of John McDonough, Agent for the Petitioner, Edith M. Ward; and

WHEREAS, Commissioner Mary Jo Vasi opened the meeting and gave a brief review of the proposed annexation; and

WHEREAS, Petition was submitted to the Commissioners Office on January 3, 1997. Petition was filed with the county Auditor and Engineer. The Engineer reviewed the accuracy of petition and map, and by report dated January 8, 1997 the Engineer indicated there was no discrepancies. There is no road right-of-way involved with the annexation, and that said land is adjacent and contiguous to the City of Oberlin and is part of a larger parcel; and

WHEREAS, Resolution No. 97-51 adopted January 23, 1997 accepted the petition and map and scheduled this public hearing; and

WHEREAS, Oberlin City Council by Ordinance No. 97-23 AC CMS passed February 18, 1997 indicated what services the City would provide to the territory sought to be annexed, if granted; and

WHEREAS, Assistant County Prosecutor, Jerry Innes administered an oath to everyone present that may be giving testimony during the hearing; and

WHEREAS, Commissioner Mary Jo Vasi turned the meeting over to Attorney Garrett Murray, to further review the project. Attorney Murray provided this office with a transcript of the proceedings from the petition all the way through the various notices and including the publication in the newspaper; and

WHEREAS, the Commissioners find that the petition contains the information required in Ohio Revised Code 709.02 thru 709.032; and

WHEREAS, Attorney Murray stated that the Petitioner is requesting annexation for only the 0.59 acre parcel within a 55.08 acre parcel, to construct a duplex. The rest of the parcel will remain in the Township as agricultural land; and

WHEREAS, the Commissioners entertained comments from John Hamilton, representing the Lorain County Engineer's Office who stated that the Petition and Map is accurate and the land is contiguous to the City of Oberlin, Ohio. Mr. Hamilton commented on the fact that this annexation is part of a larger parcel and inquired as to how the Petitioner would split the lot for construction.

Edith M. Ward, Petitioner was present, along with Mr. Robert DiSpirito, Oberlin City Manager, who stated the City of Oberlin was in favor of this annexation; and

Attorney Murray stated that he had spoken to Mr. John Piwinski, New Russia Township Trustee, and the Trustees were not opposing this annexation.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Lorain County, Ohio, that based upon the Annexation Petition provided and report from the County Engineer's Department, which stated there were no discrepancies, and with no objection to this proposed annexation, we do and hereby grant said petition for annexation. This Board determines this annexation to be for the benefit of the public convenience and welfare and serves the general good of the territory.

Said Annexation is granted for the premises as follows:

Situated in the Township of New Russia, County of Lorain, and State of Ohio. Being known as part of Original Russia Township Lot No. 105, and more definitely described as follows:

Beginning in the southerly corporation line of the City of Oberlin, as recorded in Volume 1082, page 190 of Lorain County Deed Records at its intersection with the westerly sideline of Oberlin Ashland Road, State Route 58; said point being the southeasterly corner of land conveyed to Northern Ohio Telephone Company as recorded in Volume 1321, Page 680 of Lorain County Official Records;

Thence Southerly in the westerly sideline of Oberlin Ashland Road a distance of 160.86 feet to a point in the northerly line of land conveyed to David R. And Mary E. Henderson as recorded in Volume 1103, Page 539 of Lorain County Deed Records;

Thence Westerly in the Henderson's northerly line, a distance of 158.75 feet to the northwesterly corner thereof;

Thence Northerly, a distance of 165.61 feet to a point in the southerly corporation line of the City of Oberlin, recorded as aforesaid; said point also being in the southerly line of land conveyed to Northern Ohio Telephone Company recorded as aforesaid;

Thence Easterly in the southerly corporation line of the City of Oberlin, a distance of 154.55 feet to the place of beginning;

Enclosing a parcel containing 0.59 acre and being apart of a 55.08 acre parcel, but subject to all legal highways.

The within territory is adjacent to the said City of Oberlin, Ohio.

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 City of Oberlin, Ohio.

The foregoing resolution was introduced upon a motion by Commissioner Mary Jo Vasi, seconded by Commissioner Michael A. Ross and upon roll call the vote taken thereon, resulted as follows: all voted in favor of the motion. Commissioner Betty Blair, absent on vacation leave.

Motion carried. \_\_\_\_\_

I, Roxann Blair, Clerk to the Board of Commissioners of Lorain County, Ohio do hereby certify that the above Resolution No. 97-215 is a true copy as it appears in Journal No. 97 on date of March 20, 1997.

  
Roxann Blair, Clerk

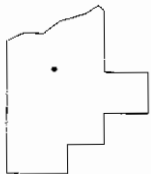
PARENT PARCEL: 09-00-105-

CHILD PARCEL: XX-XX-XXX-XXX-XXX

STARTING POINT: S. CORP. LINE OF CITY OF OBERLIN & W. LINE OF OBERLIN ASHLAND RD.

NO. 22148-X

CANNOT RUN



SPLITS/DEEDS PROCESSED

LORAIN COUNTY TAX MAP DEPARTMENT  
226 MIDDLE AVE. ELYRIA, OHIO

SURVEYED BY: XXXXXXXXXXXX

CLOSURE: XXXXXX

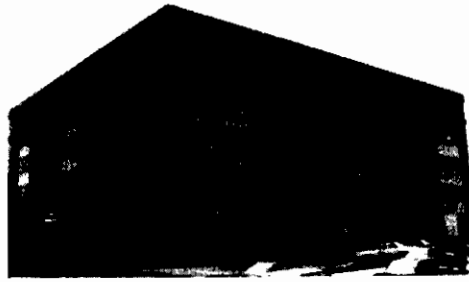
MAP PAGE(S): XX-XX-XXX

APPROVED BY: KAC DATE: 4-11-97

SCALE: 1" = 100'



# LORAIN COUNTY



## *Board of Commissioners*

*Mary Jo Vasi  
E. C. (Betty) Blair  
Michael A. Ross*

March 25, 1997

Ms. Sharon Miller  
Clerk of Council  
Oberlin City Hall  
85 S. Main Street  
Oberlin, Ohio 44074

Dear Ms. Miller:

We are enclosing the transcript of proceedings granting the annexation of 0.59 acres of land in New Russia Township to the City of Oberlin.

The Board of Commissioners adopted Resolution No. 97-215 on March 20, 1997 granting the annexation.

This is being forwarded for your information and files.

Yours truly,

Roxann Blair,  
Clerk

RB/tu  
Enclosure

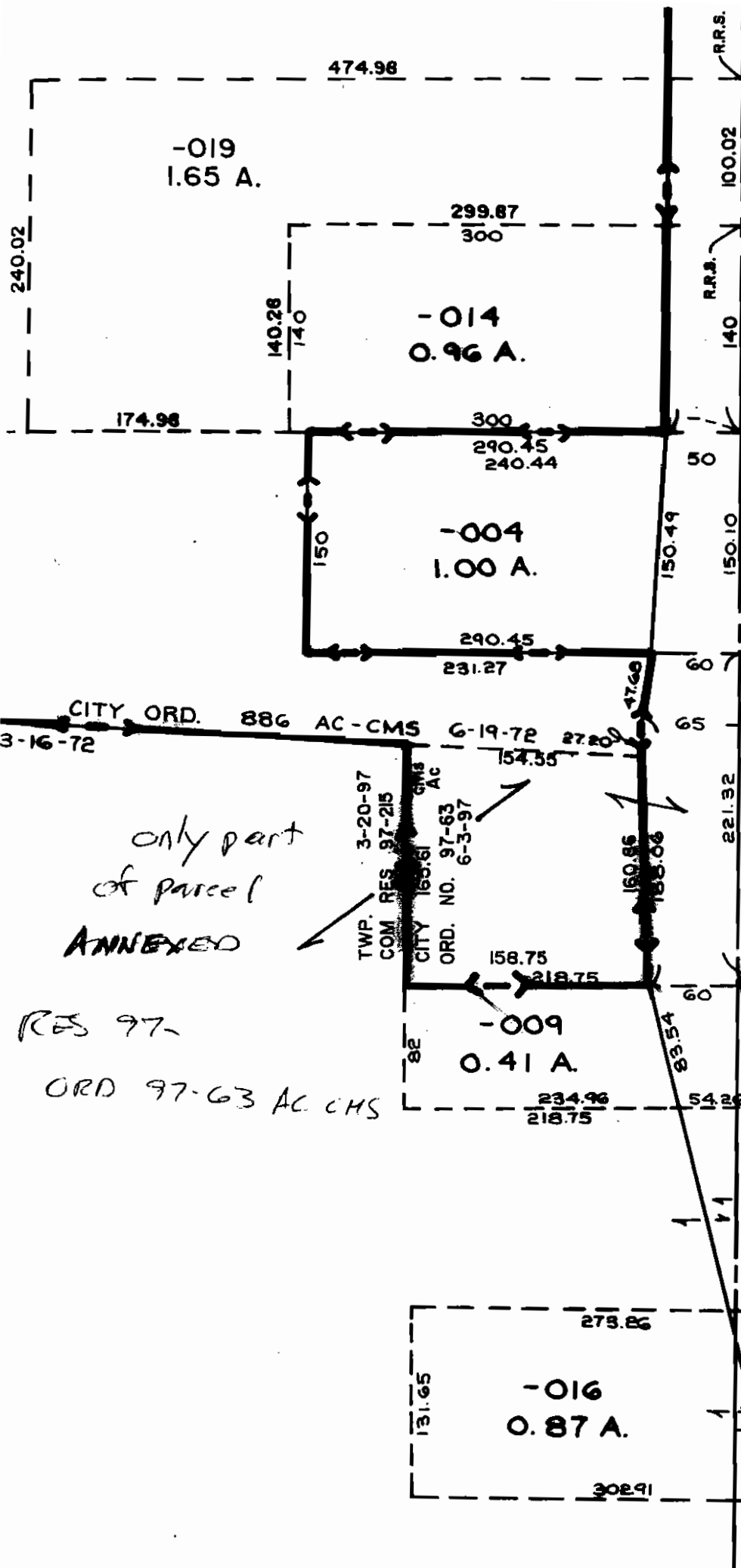
cc: Attorney Garrett Murray  
Elaine King, Clerk, New Russia Township  
Appraisal Department  
Mark Stewart, Lorain County Auditor  
Kenneth P. Carney, Lorain County Engineer  
Mary Ann Jamison, Lorain County Recorder  
Frank Colbert, Tax Map Department  
Greg Dixon, 9-1-1 Department  
Marilyn Jacobick, Board of Elections  
File











SEE 9-00-106-A

only part  
of parcel  
**ANNEXED**

RES 97-  
ORD 97-63 AC CMS

**BERLIN - ASHLAND**  
184.94  
50E



**ORDINANCE NO. 97-63 AC CMS**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 0.59 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNER, EDITH M. WARD, AND DECLARING AN EMERGENCY**

**WHEREAS, a petition for the annexation of certain territory containing approximately 0.59 acres of land within New Russia Township was duly filed by the property owner, Edith M. Ward; and,**

**WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on March 20, 1997; and,**

**WHEREAS, said Board of Commissioners has approved the annexation of the territory to the City of Oberlin, as hereinafter described; and,**

**WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Clerk of Council who received same on March 28, 1997.**

**WHEREAS, sixty (60) days from the date of that filing have now elapsed in accordance with the provision of Section 709.04 of the Ohio Revised Code;**

**NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:**

**SECTION 1. That the application of the property owner, Edith M. Ward, for the annexation of the following described territory in the County of Lorain and adjacent to the City of Oberlin, to-wit:**

**Situated in the Township of New Russia, County of Lorain, and State of Ohio. Being known as part of Original Russia Township Lot No. 105, and more definitely described as follows:**

**Beginning in the southerly corporation line of the City of Oberlin, as recorded in Volume 1082, Page 190 of Lorain County Deed Records at its intersection with the westerly sideline of Oberlin Ashland Road, State Route 58; said point being the southeasterly corner of land conveyed to Northern Ohio Telephone Company as recorded in Volume 1321, Page 680 of Lorain County Official Records;**



**Thence Southerly in the westerly sideline of Oberlin Ashland Road, a distance of 160.86 feet to a point in the northerly line of land conveyed to David R. and Mary E. Henderson as recorded in Volume 1103, Page 539 of Lorain County Deed Records;**

**Thence Westerly in the Henderson's northerly line, a distance of 158.75 feet to the northwesterly corner thereof;**

**Thence Northerly, a distance of 165.61 feet to a point in the southerly corporation line of the City of Oberlin, recorded as aforesaid; said point also being in the southerly line of land conveyed to Northern Ohio Telephone Company recorded as aforesaid;**

**Thence Easterly in the southerly corporation line of the City of Oberlin, a distance of 154.55 feet to the place of beginning;**

**Enclosing a parcel containing 0.59 acre and being part of a 55.08 acre parcel, but subject to all legal highways.**

**an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the Board of County Commissioners of Lorain County in relation thereto are on file with the Clerk of Council of the City of Oberlin, be and the same is hereby accepted.**

**SECTION 2. That said territory so annexed is hereby zoned "R-1A", single-family dwelling district, pursuant to Section 1329.03 of the Codified Ordinances of the City of Oberlin, and is hereby subject to all conditions stipulated under such district and all other regulations and restrictions of the City of Oberlin now or hereinafter promulgated.**

**SECTION 3. That the Clerk of Council is hereby authorized and directed to make three (3) copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to Mark R. Stewart, Lorain County Auditor, one copy to Mary Ann Jamison, Lorain County Recorder, and one copy to Bob Taft, Secretary of State, and shall file notice of this annexation with the Lorain County Board of Elections within thirty (30) days after it becomes effective, and shall do all other things required by law therein.**

**SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or 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 is hereby declared to be an emergency measure necessary for the preservation of public peace, health, and safety of the citizens of the City of Oberlin, Ohio, to-wit:

"to accept the annexation of certain real property to the City of Oberlin within the time limitations provided by State law",

and shall take effect immediately upon passage.

**PASSED:** 1st Reading - June 2, 1997 (E)  
2nd Reading -  
3rd Reading -

**ATTEST:**

  
\_\_\_\_\_  
CLERK OF COUNCIL

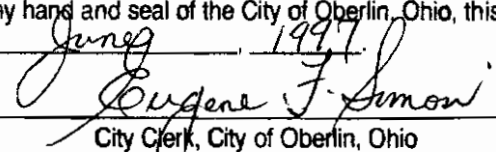
  
\_\_\_\_\_  
CHAIR OF COUNCIL

**POSTED:** June 3, 1997

**EFFECTIVE DATE:** June 3, 1997

C:\WPDOC\ORD\97-63

I do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 97-63 AC CMS as passed by the City Council of the City of Oberlin.

Witness my hand and seal of the City of Oberlin, Ohio, this 4th day of June, 1997.  
  
\_\_\_\_\_  
City Clerk, City of Oberlin, Ohio





# City of *Oberlin*

85 South Main Street, Oberlin, Ohio 44074

June 6, 1997

**Roxann Blair, Clerk  
Lorain County Commissioners  
L.C. Administration Building  
226 Middle Avenue  
Elyria, OH 44035-5641**

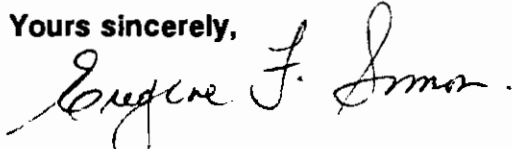
**Dear Ms. Blair:**

**I am enclosing a copy of the transcript of proceedings and a certified copy of Ordinance No. 97-63 AC CMS which accepted the annexation of 0.59 acres of real estate to the City of Oberlin upon application of the owner, Edith M. Ward, New Russia Township. This Ordinance passed on its first reading on emergency by Oberlin City Council at its regular meeting on June 2, 1997.**

**I have forwarded documentation, a plat map, or a certified copy of Ordinance No. 97-63 AC CMS as well as Ordinance No. 97-23 AC CMS as well as a copy of this letter and whatever applies to those indicated below.**

**This information is being forwarded for your files.**

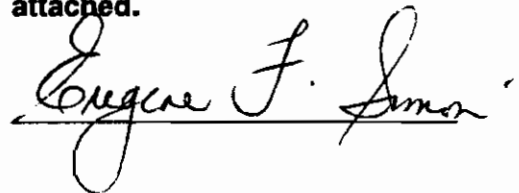
**Yours sincerely,**



**Eugene F. Simon  
Clerk of Council**

**cc: Attorney Garrett Murray  
Lorain County Engineer  
New Russia Township Clerk  
Lorain County Auditor  
Lorain County Recorder  
Secretary of State - Bob Taft  
L.C. Appraisal Department  
Lorain County Tax Map Department  
Board of Elections  
Lorain County Emergency 9-1-1  
John McDonough, Agent**

**I, Eugene F. Simon, Clerk of the  
City of Oberlin, County of Lorain,  
State of Ohio, certify that the  
enclosed documents are true and  
correct copies of the documents  
attached.**



c:\wpdocs\letters\annxWARD

Accounts Payable/Income Tax	775-7213	Finance/Utility Billing	775-7211 / 775-7212	Public Works Office	775-7217
Cemetery	775-7252	Fire Department	774-3211	Recreation Department	775-7254
City Manager	775-1531	Municipal Court	775-1751	Street Department	775-7270
Clerk of Council	775-7203	Municipal Light & Power	775-7260	Wastewater Department	775-7280
Code Administrator	775-1531	Planning Commission	775-7250	Water Department	775-7291
Community Services Department	775-7251	Police Department	774-1061	City Hall Fax	775-7208
Economic Development Office	775-7257	Prosecutor's Office	775-7298	Municipal Light & Power Fax TDD.	775-1546 775-7244



# City of *Oberlin*

85 South Main Street, Oberlin, Ohio 44074

## RECEIPT

Received from Eugene F. Simon, Clerk of the City of Oberlin, Ohio, notification of completion of annexation proceedings for the Edith M. Ward property consisting of 0.59 acres previously located in New Russia Township to the City of Oberlin.

\_\_\_\_\_  
Date

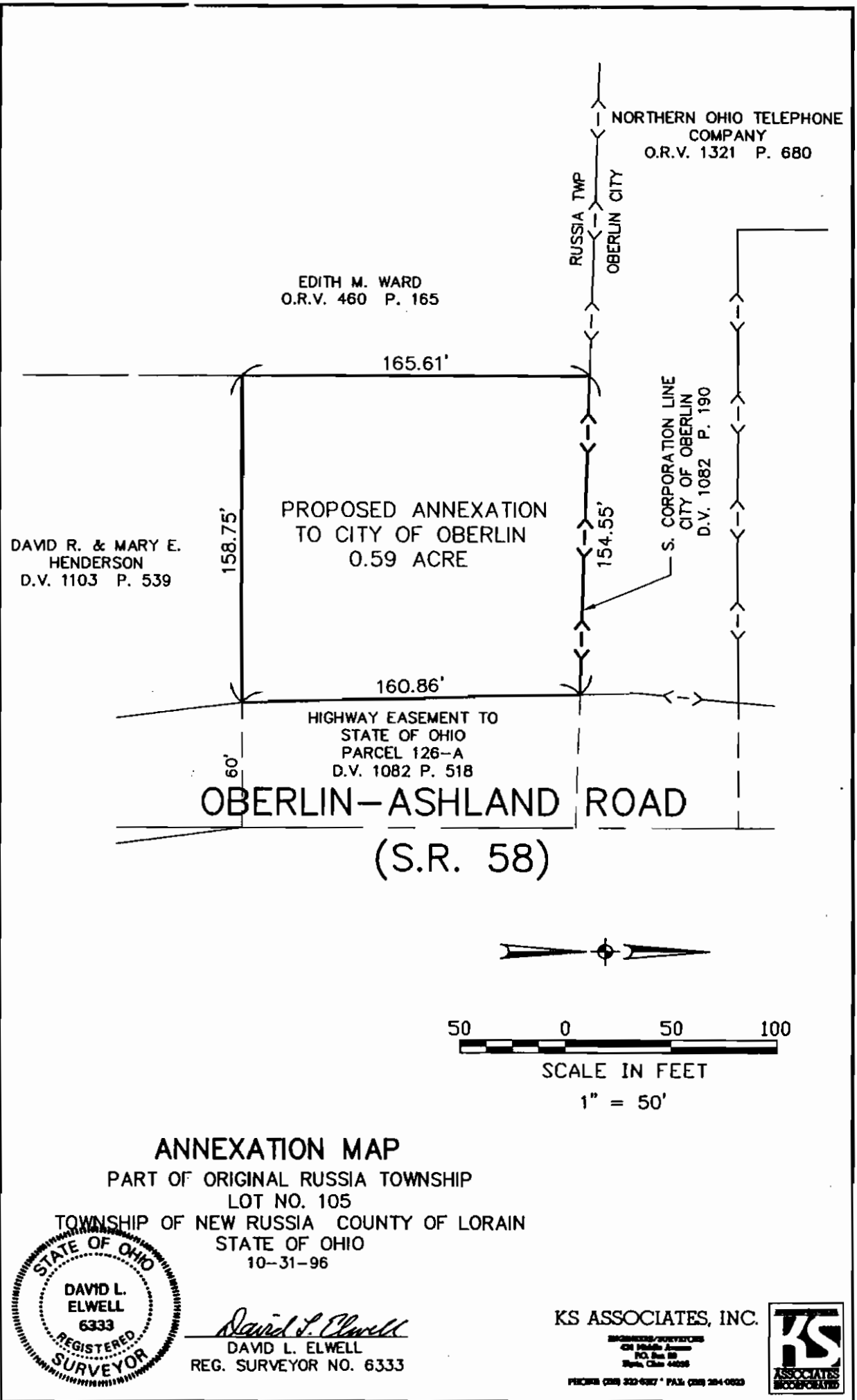
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Office

/efs

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				TDD.	775-7244





**ANNEXATION MAP**

PART OF ORIGINAL RUSSIA TOWNSHIP  
 LOT NO. 105  
 TOWNSHIP OF NEW RUSSIA COUNTY OF LORAIN  
 STATE OF OHIO  
 10-31-96



*David L. Elwell*  
 DAVID L. ELWELL  
 REG. SURVEYOR NO. 6333

KS ASSOCIATES, INC.

ENGINEERS/SURVEYORS  
 201 Middle Avenue  
 P.O. Box 59  
 Sparta, Ohio 44686  
 PHONE (216) 322-0217 FAX (216) 384-0523



