

Res 97-63 ACCMS

9-00-105-B

09-00 105 000-~~017~~-017

CERTIFICATE OF FILING

State of Ohio)
) ss
Lorain County)

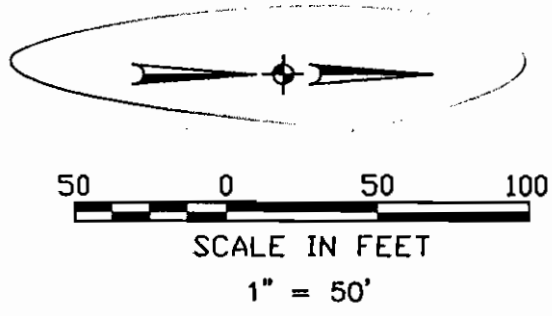
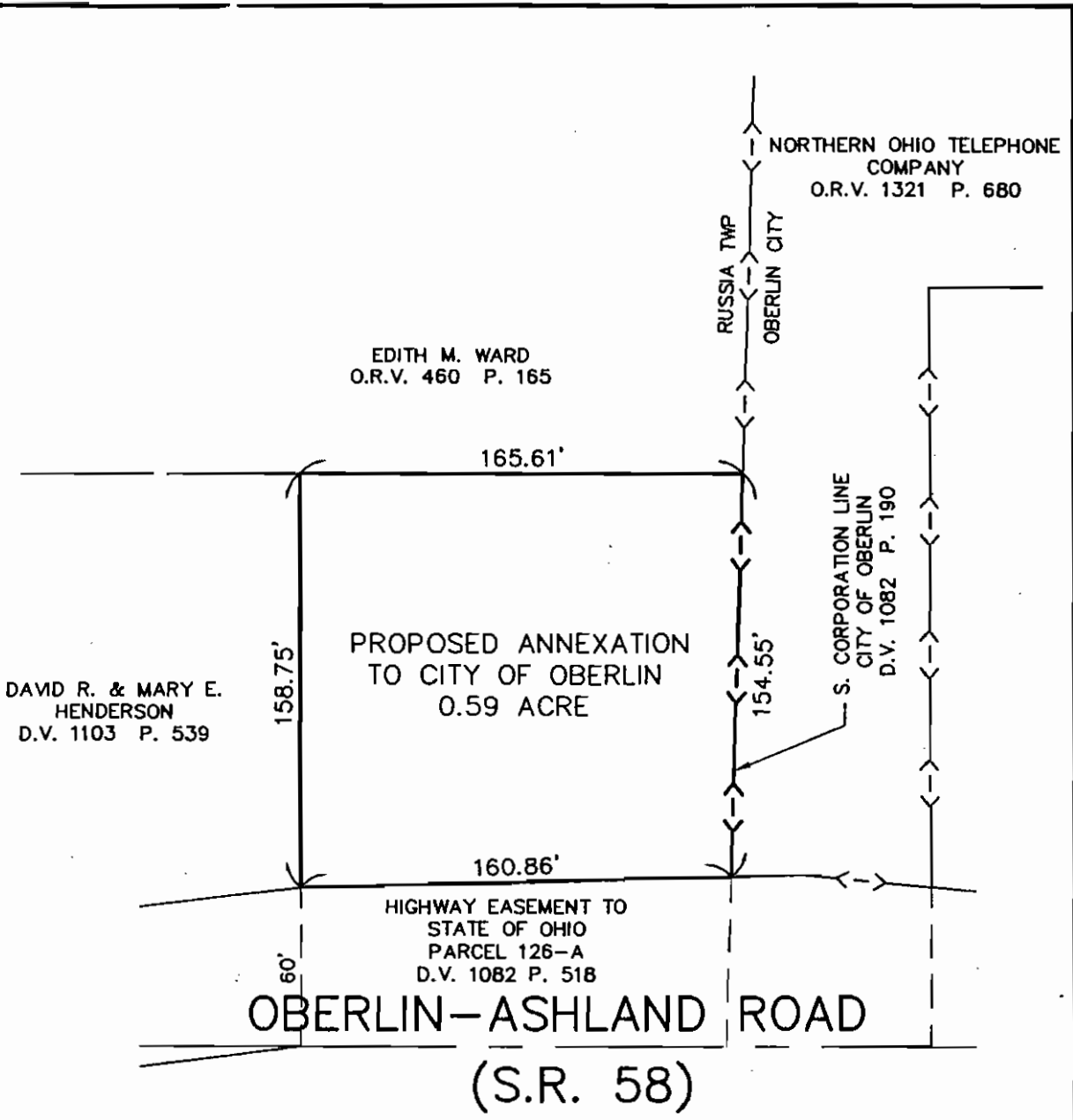
I, Mark R. Stewart, the duly elected, qualified and acting Auditor in and for the County and State aforesaid, do hereby certify that Eugene F. Simon the duly elected/appointed, qualified and acting Clerk of Council and for said City of Oberlin of Lorain County, Ohio and ex-officio Fiscal Officer for said District, has this day officially filed in the office of the Auditor of Lorain County a certified copy of Ordinance No. 97-63 AC CMS providing for annexation of .59 acres owned by Edith M. Ward, from New Russia Township to the City of Oberlin.

WITNESS my hand and Official Seal at Elyria, Ohio this 10th of June, 1997.

(Seal)



County Auditor in and for Lorain County, Ohio




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
 421 State Avenue
 P.O. Box 89
 Mans. Ohio 44885
 PHONE (216) 322-0827 FAX (216) 324-0823



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

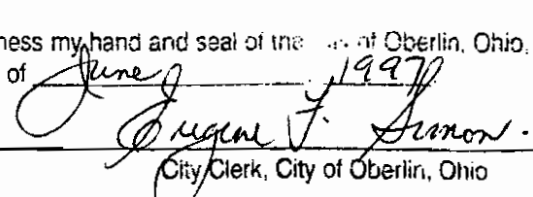
POSTED: June 3, 1997

EFFECTIVE DATE: June 3, 1997

C:\WPDOC\S\ORD\97-63

I do hereby certify that the above and foregoing is a true and correct copy of Ordinance No 97-63 Acc cons 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

ORDINANCE NO. 97-23 AC CMS

AN ORDINANCE INDICATING WHAT SERVICES THE CITY OF OBERLIN
WILL PROVIDE TO CERTAIN REAL PROPERTY PROPOSED TO BE ANNEXED
TO THE CITY OF OBERLIN PURSUANT TO SECTION 709.031
OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, on January 3, 1997, a petition was filed with the Board of Commissioners of Lorain County, Ohio, to annex approximately 0.59 acres of property located in New Russia Township to the City of Oberlin, and

WHEREAS, said Petition for Annexation is presently pending before the Board of Commissioners of Lorain County, Ohio, and

WHEREAS, Section 709.031 of the Ohio Revised Code requires that the City of Oberlin adopt a statement indicating what services, if any, the City will provide to the territory proposed for annexation, upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City of Oberlin, Ohio, will provide to the real property set forth in Exhibit A attached hereto, upon completion of annexation proceedings and acceptance by the City, all municipal services presently being provided to the residents of the City of Oberlin, Ohio, such including, but not limited to, electric, water, sewer and garbage service, subject, however, to all municipal ordinances and regulations applicable thereto, and further subject to any restrictions due to plant or line capacity or extension cost, as reflected in Exhibit B and Exhibit C attached hereto.

SECTION 2. 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 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to ensure the adoption of the statement required by Section 709.031 of the Ohio Revised Code prior to the annexation hearing to be held before the Board of Lorain County Commissioners"

and shall take effect immediately upon passage.

ORDINANCE NO. 97-23
PAGE 2

PASSED: 1st Reading: February 18, 1997 (E)
2nd Reading:
3rd Reading:

ATTEST:

Eugene F. Simon
Clerk of Council

James M. Drummond
Chair of Council

POSTED: February 19, 1997

EFFECTIVE DATE: February 19, 1997

C:\WPDOCS\ORD\97-23

I do hereby certify that the above and foregoing is a true and correct
copy of Ordinance No. 97-23 Ac cws
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.

Eugene F. Simon
City Clerk, City of Oberlin, Ohio

EXHIBIT A

ANNEXATION

Edith M. Ward
547 W. College Street
Oberlin, OH 44074

ORDINANCE NO. 97-23 AC CMS

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;

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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.

City of *Oberlin*

Exhibit B

85 South Main Street, Oberlin, Ohio 44074

February 12, 1997

Eric Severs, City Solicitor
BankOne Building
Oberlin, OH 44074

RE: Annexation

Dear Solicitor Severs:

Regarding services which would be available to property along Rt. 58 south upon annexation, I would note the following:

- WATER** A 12" water line extends along Rt. 58 the full width of the property. The most recent flow test on this line showed static pressure of 60 p.s.i. and flow of 700 g.p.m.
- SEWER** A 12" sewer line extends along Rt. 58 the full width of the property. Design capacity for a 12' line is in excess 1.2 M.G.D.
- REFUSE** The City operates a full-service municipal refuse and recycling system. These services would be available to the property if annexed.
- POLICE** The maintains a full-time Police Department consisting of 16 full-time sworn officers, 2 part-time sworn officers, 3 full-time dispatchers, and 6 part-time dispatchers plus a Police Auxiliary. Road officers are on duty at all times and the station is located less than two miles from the property proposed for annexation.
- FIRE:** The City maintains a Class 5 Fire Department with staffing consisting of 4 full-time and 24 part-time employees. The Fire station is located less than one mile from the property proposed for annexation.

In addition, the City provides a full range of Planning, Zoning, Recreation, and Economic Development related services.

If you have any questions or if you need any additional information, please do not hesitate to contact me.

Sincerely,


Robert DiSpinto
City Manager

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	775-7255
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	775-1546
				T.D.D.	775-7244

City of
Oberlin
85 South Main Street, Oberlin Ohio 44074

EXHIBIT C

DATE: February 13, 1997
TO: Robert DiSpirito, City Manager
FROM: Vic Oeftering, Interim OMLPS Director
RE: **ANNEXATION**

We do have distribution line on Route 58 going south up to JVS and we should be able to pick up the new load.

Depending on the requirements of the property, we will have to assess if our circuits will require any reinforcements.



Vic Oeftering, Interim OMLPS Director

C:\WPDOCS\FILES\CITYMNGR\ANNEX.MEM

LORAIN COUNTY

COMMISSIONERS



Commissioners

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

January 3, 1997

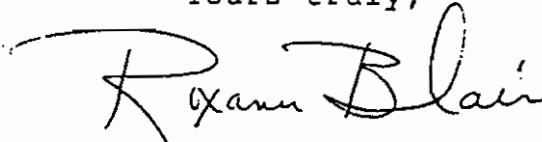
Mr. Kenneth P. Carney
Lorain County Engineer
247 Hadaway Street
Elyria, Ohio 44035
Attn: John Hamilton

Dear Mr. Carney:

We are referring the attached annexation request to your attention for approximately 0.59 acre and being part of a 55.08 acre parcel in New Russia Township, to the City of Oberlin, Ohio - Attorney Garrett Murray acting on behalf of John McDonough, Agent for the Petitioner, Edith Ward.

Please review Petition and Map for accuracy and advise as to your findings. The Commissioners will schedule a Public Hearing after receiving your report.

Yours truly,


Roxann Blair -
Clerk

RB
Enclosures
cc: File

**LORAIN
COUNTY**
COMMISSIONERS



Commissioners

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

January 3, 1997

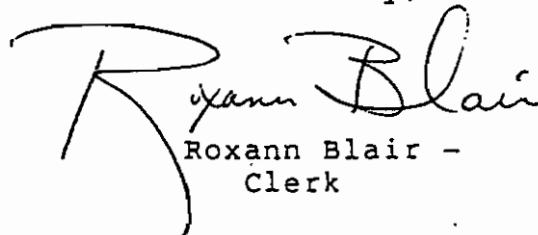
Mr. Mark Stewart
Lorain County Auditor
226 Middle Avenue
Elyria, Ohio 44035

Dear Mr. Stewart:

We are enclosing a copy of a Petition and Map for the proposed Annexation of approximately 0.59 acre and being part of a 55.08 acre parcel, in New Russia Township to the City of Oberlin, Ohio, - Attorney Garrett Murray, acting on behalf of John McDonough, Agent for the Petitioner, Edith Ward.

We will advise as to the Public Hearing date after the Engineer has reviewed the accuracy of Petition and Map.

Yours truly,


Roxann Blair -
Clerk

RB
Enclosures
cc: File

1997 JAN -3 PM 12:36

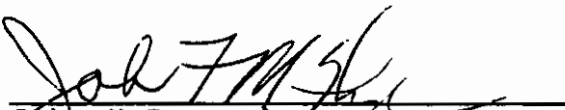
TO: EUGENE SIMON
Oberlin City Clerk
of Council
85 S. Main Street
Oberlin, Ohio 44074

NOTICE OF FILING
OF ANNEXATION
PETITION

Take Notice that Petitioner Edith M. Ward, seeking the annexation of certain territory located in the Township of New Russia, County of Lorain, State of Ohio, filed a Petition for Annexation in the Office of the Board of County Commissioners of Lorain County, Ohio, on the 3rd day of January 1997, a copy of which is attached hereto and marked Exhibit A.

This Notice is given pursuant to Ohio Revised Code Section 709.93.

The Petition contains a full description of the territory sought to be annexed and other matters required by law and is signed by a majority of the owners of real estate in such territory.


John McDonough
Agent

PETITION FOR ANNEXATION

TO: Board of County Commissioners
of Lorain County, Ohio

RECEIVED
LORAIN COUNTY
COMMISSIONERS
97 JAN - 3 AM 9:53
ROXANN BLAIR
CLERK

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 Oberlin, Lorain County, Ohio, 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;

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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.

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

Petitioner has attached hereto and made a part of this Petition an

accurate map showing the boundaries of the territory sought to be annexed marked "Annexation Map."

Petitioner states there is one (1) owner of real estate in the territory sought to be annexed.

John McDonough, 32398 Regency Court, Avon Lake, Ohio 44012 is hereby appointed agent for the undersigned Petitioner as required by O.R.C. 709.02 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 Petition without further expressed consent of the Petitioner.

Edith M. Ward

Edith M. Ward
547 W. College Street
Oberlin, Ohio 44074

DAVID R. & MARY E.
HENDERSON
D.V. 1103 P. 539

EDITH M. WARD
O.R.V. 460 P. 165

PROPOSED ANNEXATION
TO CITY OF OBERLIN
0.59 ACRE

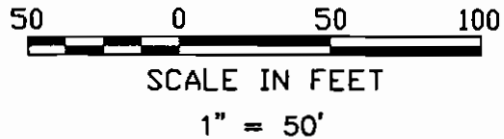
NORTHERN OHIO TELEPHONE
COMPANY
O.R.V. 1321 P. 680

RUSSIA TWP
OBERLIN CITY

S. CORPORATION LINE
CITY OF OBERLIN
D.V. 1082 P. 190

HIGHWAY EASEMENT TO
STATE OF OHIO
PARCEL 126-A
D.V. 1082 P. 518

OBERLIN-ASHLAND ROAD
(S.R. 58)



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 South Avenue
P.O. Box 89
Brynar, Ohio 44008
PHONE (216) 322-4287 FAX (216) 284-0820



PETITION FOR ANNEXATION

RECEIVED
LORAIN COUNTY
COMMISSIONERS
97 JAN -3 AM 9:53
ROXANN BLAIR
CLERK

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 Oberlin, Lorain County, Ohio, 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;

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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.

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

Petitioner has attached hereto and made a part of this Petition an

accurate map showing the boundaries of the territory sought to be annexed marked "Annexation Map."

Petitioner states there is one (1) owner of real estate in the territory sought to be annexed.

John McDonough, 32398 Regency Court, Avon Lake, Ohio 44012 is hereby appointed agent for the undersigned Petitioner as required by O.R.C. 709.02 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 Petition without further expressed consent of the Petitioner.

Edith M. Ward

Edith M. Ward
547 W. College Street
Oberlin, Ohio 44074

DAVID R. & MARY E.
HENDERSON
D.V. 1103 P. 539

EDITH M. WARD
O.R.V. 460 P. 165

PROPOSED ANNEXATION
TO CITY OF OBERLIN
0.59 ACRE

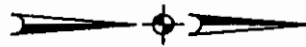
HIGHWAY EASEMENT TO
STATE OF OHIO
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D.V. 1082 P. 518

NORTHERN OHIO TELEPHONE
COMPANY
O.R.V. 1321 P. 680

RUSSIA TWP
OBERLIN CITY

S. CORPORATION LINE
CITY OF OBERLIN
D.V. 1082 P. 190

OBERLIN-ASHLAND ROAD
(S.R. 58)



SCALE IN FEET

1" = 50'

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.

ENGINEER-SURVEYOR
21 North Avenue
P.O. Box 88
Elyria, Ohio 44028

PHONE (216) 322-0327 FAX (216) 284-0820



76 days 2/20 11:58 AM 97-51 1/23/97



RECEIVED
LORAIN COUNTY ENGINEER
COMMISSIONERS

KENNETH P. CARNEY, SR., P.E., B.S. JAN 14 PH 12:54

ROXANH BLAIR
CLERK

January 8, 1997

The Honorable Board of
County Commissioners of
Lorain County, Ohio

Dear Board:

This office has reviewed the petition for annexation of 0.59 acres of land in New Russia Township, Original Lot 105, to the City of Oberlin.

Said petition was submitted by John McDonough, agent, for the petitioner.

We find the description to correctly follow the map of the property. The map was prepared by KS Associates and was submitted with the petition.

Said land is adjacent and contiguous to the City of Oberlin and is part of a larger parcel. There is no road right-of-way involved with this annexation.

There is one owner of this property who is listed as:

Edith M. Ward
547 W. College Street
Oberlin, Ohio 44074

If you have any questions, contact this office.

Sincerely yours,

Kenneth P. Carney
Kenneth P. Carney
Lorain County Engineer

KPC:JRH:hmb

1997 JAN 29 AM 10: 54

NOTICE OF PETITION FOR ANNEXATION

Notice is hereby given that on the 3rd. day of January 1997, there was filed with the Board of County Commissioners of Lorain County, Ohio, a Petition signed by a majority of the owners of real estate in the following territory praying that the territory be annexed to the City of Oberlin as provided by law. The territory sought to be annexed is described 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;

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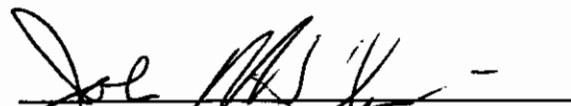
Thence Easterly in the southerly corporation line of the City of Oberlin, a distance of 154.55 feet to the place of beginning;

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

The undersigned is named in the Petition as the Agent of the Petitioner. The Petition contains a full description and an accurate map of the territory sought to be annexed, and states that there is one (1) owner of real estate in the territory.

The Board of County Commissioner has fixed 11:00 A.M. on the 20th.

day of March 1997, in the Office of the County Commissioners - Public Hearing Room, Fourth Floor, Lorain County Administration Building, 226 Middle Avenue, Elyria, Ohio 44035 as the time and place for the hearing on the Petition.


John McDonough, Agent
for Petitioner
32398 Regency Court
Avon Lake, Ohio 44012

LORAIN COUNTY



Board of Commissioners

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

January 29, 1997

Attorney Garrett Murray
120 East Avenue
Elyria, Ohio 44035

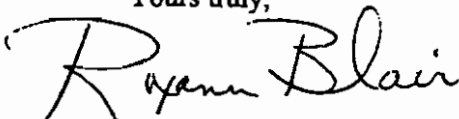
Dear Attorney Murray:

Enclosed please find a copy of Resolution No. 97-51, adopted by the Board of Commissioners of Lorain County, Ohio, on January 23, 1997 setting the hearing date on the proposed Annexation Petition of approximately 0.59 acres of land in New Russia Township to the City of Oberlin, Ohio.

Hearing has been scheduled for March 20, 1997 at 11:00am., in the Commissioners Public Hearing Room, 4th Floor, Administration Building, Elyria, Ohio.

This is being forwarded for your information and files.

Yours truly,


Roxann Blair,
Clerk

RB/tu
Enclosure

cc: Kenneth P. Carney, County Engineer
Mark Stewart, County Auditor
Elaine King, Clerk, New Russia Township
Sharon Miller, Clerk, Oberlin
File

In the matter of accepting Annexation petition request)
 submitted by Attorney Garrett Murray, acting on behalf)
 of John McDonough Agent for Petitioner, Edith M.) January 23, 1997
 Ward, for approximately 0.59 acres of land in New)
 Russia Township to the City of Oberlin, Ohio)

WHEREAS, the Clerk gave notice to the Board of Commissioners of Lorain County, Ohio on the filing with her on the date of January 3, 1997, an Annexation Petition request for approximately 0.59 acres of land in New Russia Township to the City of Oberlin, Ohio, whereas Petition reads as follows:

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, to hereby petition for the annexation of said territory to the City of Oberlin, Lorain County, Ohio, 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 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.

Petitioner has attached hereto and made a part of this Petition an accurate map showing the boundaries of the territory sought to be annexed marked "Annexation Map."

Petitioner states there is one (1) owner of real estate in the territory sought to be annexed.

John McDonough, 32398 Regency Court, Avon Lake, Ohio 44012 is hereby appointed agent for the undersigned Petitioner as required by ORC 709.02 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 Petition without further expressed consent of the Petitioner.

S/Edith M. Ward
547 W. College Street, Oberlin, Ohio 44074

AND;

WHEREAS, the Lorain County Engineer by letter dated January 8, 1997 submitted the following report:

"This Office has reviewed the petition for annexation of 0.59 acres of land in New Russia Township, Original Lot 105, to the City of Oberlin.

Said petition was submitted by John McDonough, agent, for the petitioner.

We find the description to correctly follow the map of the property. The map was prepared by KS Associates and was submitted with the petition.

Said land is adjacent and contiguous to the City of Oberlin and is part of a larger parcel. There is no road right-of-way involved with this annexation.

There is one owner of this property who is listed as:

Edith M. Ward, 547 W. College Street, Oberlin, Ohio 44074

If you have any questions, contact this office.

Sincerely,

S/Kenneth P. Carney, Lorain County Engineer"

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lorain County, Ohio that based upon the Engineer's report indicating there being no discrepancies in the petition and map, we do and hereby accept said petition and provide for a public hearing to be held on March 20, 1997 at 11:00a.m.

FURTHER BE IT RESOLVED, that said petitioners shall cause notice containing the substance of said petition and the time and place where hearing will be had thereon to be published in a newspaper of general circulation in Lorain County for a period of four consecutive weeks prior to the time fixed for the hearing, and shall deliver a copy of the notice to the Clerk of each township and portion of which is included within the territory sought to be annexed and to the Clerk of Legislative authority of the municipal corporation to which annexation is proposed.

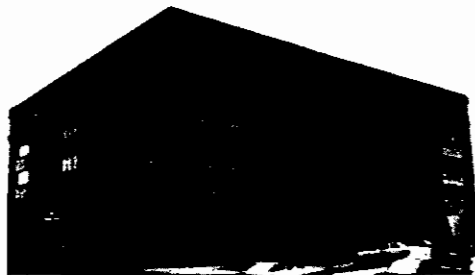
The foregoing resolution was introduced upon a motion by Commissioner Mary Jo Vasi, seconded by Commissioner Betty Blair, and upon roll call the vote taken thereon, resulted as follows: all voted in favor of the motion.

Motion carried.

I, Roxann Blair, Clerk to the Board of Commissioners of Lorain County, Ohio do hereby certify that the above Resolution No. 97-51 is a true copy as it appears in Journal No. 97 on date of January 23, 1997.


Roxann Blair, Clerk

LORAIN COUNTY



Board of Commissioners

1997 MAR 28
MAY 10 1997
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

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;

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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