

In the matter of accepting Petition and Map for proposed -)
 Annexation of approximately 2.35 acres in New Russia) December 10, 1998
 Township to the City of Oberlin, Ohio, Attorney)
 Christine M. Tobin, UAW Legal Services Plan is acting . . .)
 as Agent for Petitioner Elaine Smith-Hill aka Elaine R. Smith)

WHEREAS, the Clerk gave notice to the Lorain County Board of Commissioners on the filing on the date of November 19, 1998 an Annexation petition request for approximately 2.35 acres in New Russia Township to the City of Oberlin, Ohio, Attorney Christine M. Tobin, UAW Legal Services Plan is acting as Agent for Petitioner, Elaine Smith-Hill aka Elaine R. Smith.

Whereas Petition reads as follows:

PETITION FOR ANNEXATION
 TO THE CITY OF OBERLIN OHIO,
 OF 2.35 ACRES, OR LESS, IN RUSSIA TOWNSHIP

The Undersigned, ELAINE SMITH-HILL aka ELAINE R. SMITH ("Petitioner"), petitions for the annexation of the real property described in Exhibit "A" attached to this Petition (the "Territory") to the City of Oberlin, Lorain County, Ohio ("the City"). The Territory consists of 2.35 acres, more or less, located adjacent to and contiguous with the City. Petitioner has attached as Exhibit "B" and made a part of this Petitioner an accurate map or plat showing the boundaries of the Territory. The number of owners or real estate in the Territory is one (1), and this owner is the Petitioner.

UAW Legal Services Plan and Christine M. Tobin, Attorney at Law, #24979, are appointed agents for Petitioner as required by Ohio Revised Code Section 709.02 and are hereby granted full power and authority to amend, alter, change, correct, withdraw or re-file this Petition, increase or decrease the size of the territory and do any and all things necessary and essential to this Petition and to take any other action necessary pertaining to the granting of this Petition.

Known as being part of Original Russia Township Lot NO. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline at East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106; thence North 87° 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 1212.55 feet to a point, said point being the principal place of beginning of the land herein described; thence continuing North 87° 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 110.45 feet to a point; said point being also the northeasterly corner of land conveyed to Daniel A. and Lucy A. Spriggs by deed dated March 23, 1956 and recorded in Volume 660, Page 513, Lorain County Deed Records; thence South 2°29' 30" West along the Easterly line of land so conveyed to Daniel A. and Lucy A. Spriggs, as aforesaid, passing through an iron pin set 30.00 feet Southerly line of East Hamilton Avenue, a distance of 931.64 feet to an iron pin set in the Northerly line of land as conveyed to H. W. Reighley by Deed dated September 15, 1937 and recorded in Volume 290, Page 269 Lorain County Record of Deeds; thence South 88° 15' East along said Northerly line of land of H.W. Reighley, a distance of 108.98 feet to an iron pin set; thence North 2°30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106 and the principal place of beginning of the land herein described, and passing through an iron pin set 30.00 feet Southerly therefrom on the aces of land, be the same more or less, but subject to all legal highways. Surveyed by C.E. Penfound, Registered Surveyor, #3200, on May 15, 1956.

WHEREAS, Kenneth P. Carney, Lorain County Engineer by letter December 3, 1998 submitted the following:

"This office has reviewed the petition for annexation of 2.35 acres of land in New Russia Township. The petition was submitted by Christine M. Tobin, agent.

This land is located in original Lot 106 of New Russia Township and is adjacent and contiguous to the City of Oberlin. It will, however, create a peninsula of city land surrounded on three sides by Township.

The description correctly follows the map presented with the petition. There is one owner of this property and that owner has signed the petition. If you have any questions, contact this office.

Sincerely yours, S/Kenneth P. Carney, Lorain County Engineer"

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Board of Commissioners that based upon the Engineer's report indicating no discrepancies in the petition and map, we do and hereby accept said petition and provide for a public hearing to be held Thursday, February 4, 1999 at 11:00 a.m.

FURTHER BE IT RESOLVED, that said petitioner 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 tot he Clerk of each Township and portion of which is included within the City or territory sought to be annexed and the Clerk to the legislative authority for the municipal corporation to which annexation is proposed.

Motion by Vasi, seconded by Blair to adopt Resolution. Ayes: All.

Motion carried.

I, Theresa L. Upton, Clerk-Typist to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 98-952 is a true copy as it appears in Journal No. 98 on date of December 10, 1998.


Theresa L. Upton, Clerk-Typist

Filed
11-19-98

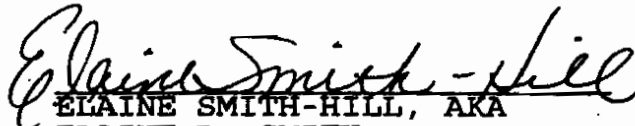
12-16-98A11:55 RCVD

PETITION FOR ANNEXATION
TO THE CITY OF OBERLIN, OHIO OF
2.35 ACRES, MORE OR LESS,
IN RUSSIA TOWNSHIP

The undersigned, ELAINE SMITH-HILL aka ELAINE R. SMITH ("Petitioner"), petitions for the annexation of the real property described in Exhibit "A" attached to this Petition (the "Territory") to the City of Oberlin, Lorain County, Ohio ("the "City"). The Territory consists of 2.35 acres, more or less, located adjacent to and contiguous with the City. Petitioner has 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 one (1), and this owner is the Petitioner.

UAW Legal Services Plan and Christine M. Tobin, Attorney at Law, #24979, are appointed agents for Petitioner as required by Ohio Revised Code Section 709.02 and are hereby granted full power and authority to amend, alter, change, correct, withdraw or re-file this Petition, increase or decrease the size of the territory and do any and all things necessary and essential to this Petition and to take any other action necessary pertaining to the granting of this Petition.

Petitioner:


ELAINE SMITH-HILL, AKA
ELAINE R. SMITH
45737 East Hamilton Street
Oberlin, Ohio 44074
(440) 774-1390

PREPARED BY:
UAW LEGAL SERVICES PLAN
CHRISTINE M. TOBIN, ESQ. #24979
602 LEONA STREET
ELYRIA, OH 44035
(440) 324-2409

NOTICE OF HEARING ON
PETITION FOR ANNEXATION
TO THE CITY OF OBERLIN, OHIO OF
2.35 ACRES, MORE OR LESS,
IN RUSSIA TOWNSHIP

On February 4, 1998⁹ @ 11:00 a.m., at 226 Middle Avenue, Public Hearing Room, 4th Floor, Elyria, Ohio, The Lorain County Board of Commissioners shall hold a hearing on the Petition filed by ELAINE SMITH-HILL aka ELAINE R. SMITH ("Petitioner") on November 19, 1998 for the annexation of the real property described below (the "Territory") to the City of Oberlin, Lorain County, Ohio.

Situated in the Township of Russia, County of Lorain and State of Ohio:

And known as being part of Original Russia Township Lot No. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline of East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106;

Thence North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 1212.55 feet to a point, said point being the principal place of beginning of the land herein described;

Thence continuing North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 110.45 feet to a point; said point being also the Northeasterly corner of land conveyed to Daniel A. and Lucy A. Spriggs by deed dated March 23, 1956, and recorded in Volume 660, Page 513, Lorain County Deed Records;

Thence South 2 degrees 29' 30" West along the Easterly line of land so conveyed to Daniel A. and Lucy A. Spriggs, as aforesaid, passing through an iron pin set 30.00 feet southerly on the southerly line of East Hamilton Avenue, a distance of 931.64 feet to an iron pin set in the Northerly line of land as conveyed to H. W. Reighley by Deed dated September 15, 1937 and recorded in Volume 290, Page 269 Lorain County Record of Deeds;

Thence South 88 degrees 15' East along said Northerly line of land of H.W. Reighley, a distance of 108.98 feet to an iron pin set;

Thence North 2 degrees 30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the

Northerly line of Original Lot 106 and the principal place of beginning of the land herein described, and passing through an iron pin set 30.00 feet Southerly therefrom on the Southerly line of said avenue.

Containing within said bounds 2.3454 acres of land, be the same more or less, but subject to all legal highways as surveyed by C.E. Penfound, Registered Surveyor No. 3200, on May 15, 1956.

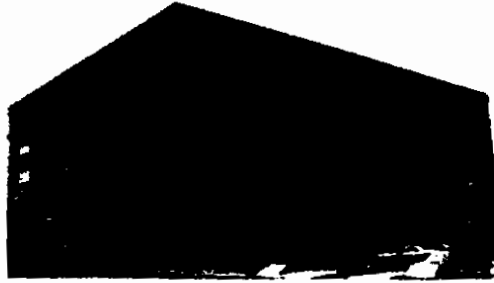
Permanent Parcel No. 09-00-106-000-041

The property address is 45737 East Hamilton St. and consists of 2.35 acres, more or less, located adjacent to and contiguous with said City. Exhibit "B" attached to said Petition consists of an accurate map or plat showing the boundaries of the Territory. Petitioner is the only owner of real estate in the Territory.

UAW Legal Services Plan and Christine M. Tobin, Attorney at Law, are agents for Petitioner as required by O.R.C. §709.02 and were granted by the Petitioner full power and authority to amend, alter, change, correct, withdraw or re-file this Petition, increase or decrease the size of the territory and do any and all things necessary and essential to this Petition and to take any other action necessary pertaining to the granting of this Petition.

CHRISTINE M. TOBIN, ESQ. #24979
UAW LEGAL SERVICES PLAN
AGENTS AND ATTORNEYS FOR
ELAINE SMITH-HILL AKA ELAINE R. SMITH
602 Leona St., Elyria, OH 44035
(440) 324-2409

LORAIN COUNTY



Board of Commissioners

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

12-21-98P02:20 RCVD

December 18, 1998

Attorney Christine M. Tobin
C/o UAW Legal Services Plan
602 Leona Street
Elyria, Ohio 44035

Dear Ms. Tobin:

Enclosed is a copy of Resolution No. 98-952, adopted by the Lorain County Board of Commissioners on December 10, 1998 accepting Petition and Map for proposed Annexation of approximately 2.35 acres in New Russia Township to the City of Oberlin, Ohio. A public hearing date has been scheduled for February 4, 1999 at 11:00 a.m.

This is being forwarded for your information and files.

Yours truly,

Theresa L. Upton
Clerk-Typist

Tlu
Enclosure

Cc: Elaine R. King, Clerk, New Russia Township
Eugene F. Simon, Clerk, Oberlin City
Kenneth P. Carney, Lorain County Engineer/Attn: John Hamilton
Mark Stewart, Lorain County Auditor
File

ORDINANCE NO. 99-34 AC CMS

PASSED
5-4-99

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 2.35 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNER, ELAINE SMITH-HILL, AND DECLARING AN EMERGENCY

WHEREAS, a petition for the annexation of certain territory containing approximately 2.35 acres of land within New Russia Township was duly filed by the property owner, Elaine Smith-Hill; and

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on February 4, 1999; 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 February 24, 1999; and

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, Elaine Smith-Hill, 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 Russia, County of Lorain and State of Ohio, and known as being part of Original Russia Township Lot No. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline of East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106;

Thence North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 1212.55 feet to a point, said point being the principal place of beginning of the land herein described;

Thence continuing North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 110.45 feet to a point; said point being also the Northeasterly corner of land conveyed to Daniel A. and Lucy A. Spriggs by deed dated March 23, 1956, and recorded in Volume 660, Page 513, Lorain County Deed Records;

Thence South 2 degrees 29' 30" West along the Easterly line of land so conveyed to Daniel A. and Lucy A. Spriggs, as aforesaid, passing through an iron pin set 30.00 feet Southerly on the Southerly line of East Hamilton Avenue, a distance of 931.64 feet to an iron pin set in the Northerly line of land as conveyed to H. W. Reighley by Deed dated September 15, 1937 and recorded in Volume 290, Page 269 Lorain County Record of Deeds;

Thence South 88 degrees 15' East along said Northerly line of land of H. W. Reighley, a distance of 108.98 feet to an iron pin set;

Thence North 2 degrees 30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106 and the principal place of beginning of the land herein described, and passing through an iron pin set 30.00 feet Southerly therefrom on the Southerly line of said avenue.

Containing within said bounds 2.3454 acres of land, be the same more or less, but subject to all legal highways as surveyed by C.E. Penfound, Registered Surveyor No. 3200, on May 15, 1956.

Permanent Parcel No. 09-00-106-000-041,

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 Kenneth Blackwell, 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 - May 3, 1999 (E)
2nd Reading -
3rd Reading -

ATTEST:



CLERK OF COUNCIL



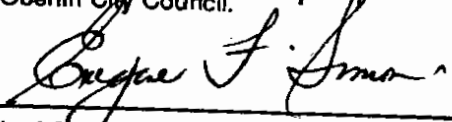
CHAIR OF COUNCIL

POSTED: May 5, 1999

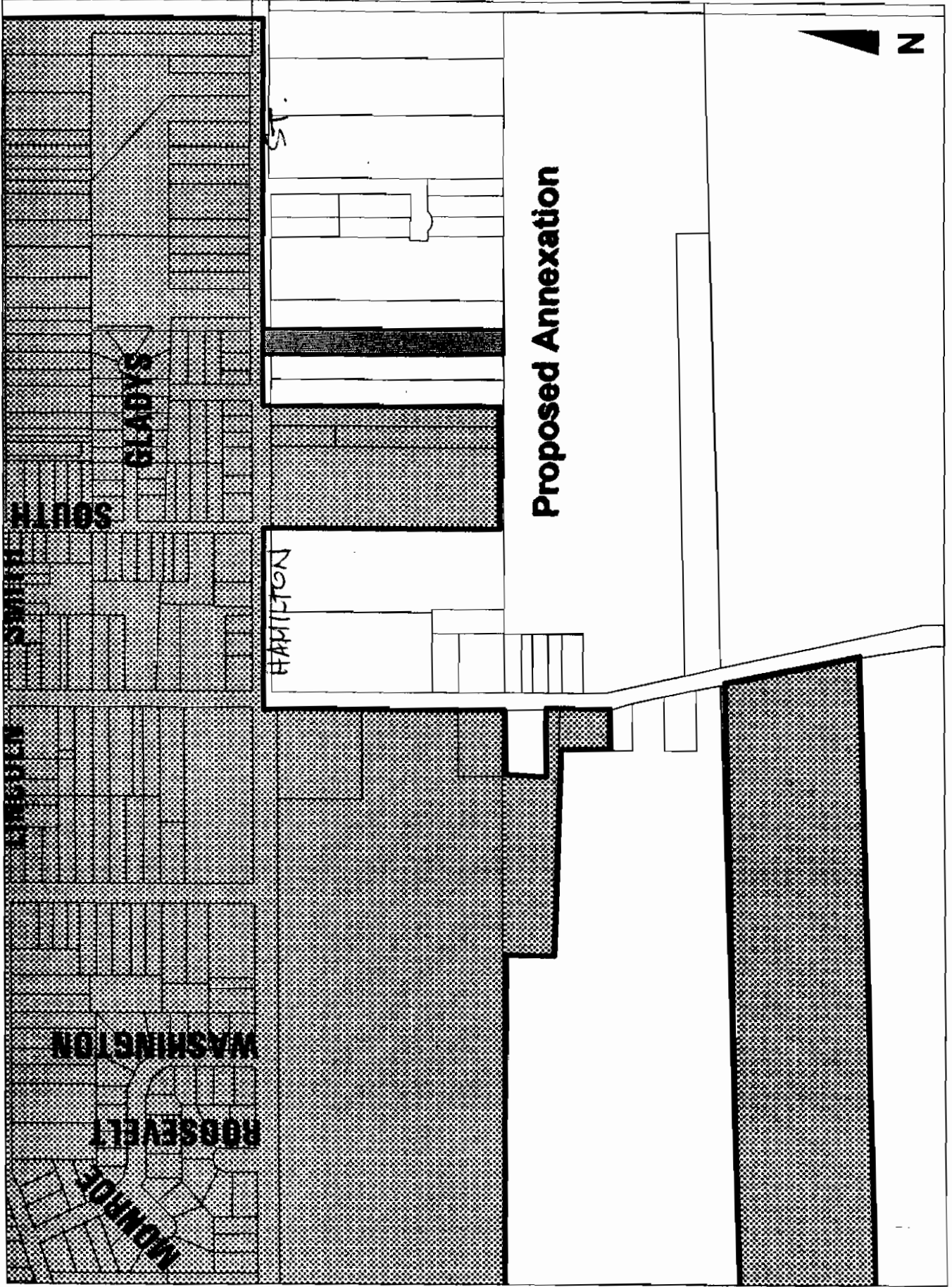
EFFECTIVE DATE: May 4, 1999

o:\ORD99-34Smith Annex

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 99-34 as passed by the Oberlin City Council.



Clerk of Council, City of Oberlin, Ohio



SOUTH

GLADYS

SOUTH

LEWIS

WASHINGTON

ROOSEVELT

MONROE

HAMILTON

Proposed Annexation



Filed
11-19-98

12-16-98A11:55 RCVD

09-31 ACCMS
PETITION FOR ANNEXATION
TO THE CITY OF OBERLIN, OHIO OF
2.35 ACRES, MORE OR LESS,
IN RUSSIA TOWNSHIP

The undersigned, ELAINE SMITH-HILL aka ELAINE R. SMITH ("Petitioner"), petitions for the annexation of the real property described in Exhibit "A" attached to this Petition (the "Territory") to the City of Oberlin, Lorain County, Ohio ("the "City"). The Territory consists of 2.35 acres, more or less, located adjacent to and contiguous with the City. Petitioner has 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 one (1), and this owner is the Petitioner.

UAW Legal Services Plan and Christine M. Tobin, Attorney at Law, #24979, are appointed agents for Petitioner as required by Ohio Revised Code Section 709.02 and are hereby granted full power and authority to amend, alter, change, correct, withdraw or re-file this Petition, increase or decrease the size of the territory and do any and all things necessary and essential to this Petition and to take any other action necessary pertaining to the granting of this Petition.

Petitioner:

Elaine Smith-Hill
ELAINE SMITH-HILL, AKA
ELAINE R. SMITH
45737 East Hamilton Street
Oberlin, Ohio 44074
(440) 774-1390

PREPARED BY:
UAW LEGAL SERVICES PLAN
CHRISTINE M. TOBIN, ESQ. #24979
602 LEONA STREET
ELYRIA, OH 44035
(440) 324-2409

ORDINANCE NO. 99-4 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 November 19, 1998, a petition was filed with the Board of Commissioners of Lorain County, Ohio, to annex approximately 2.35 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 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.

PASSED: 1st Reading - January 19, 1999 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: January 20, 1999

EFFECTIVE DATE: January 20, 1999

EXHIBIT A

ANNEXATION TO THE CITY OF OBERLIN
OF 2.35 ACRES, MORE OR LESS
IN RUSSIA TOWNSHIP

Situated in the Township of Russia, County of Lorain, and State of Ohio:

And known as being part of Original Russia Township Lot No. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline of East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106;

Thence North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 1212.55 feet to a point, said point being the principal place of beginning of the land herein described;

Thence continuing North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 110.45 feet to a point; said point being also the Northeasterly corner of land conveyed to Daniel A. and Lucy A. Spriggs by deed dated March 23, 1956, and recorded in Volume 660, Page 513, Lorain County Deed Records;

Thence South 2 degrees 29' 30" West along the Easterly line of land so conveyed to Daniel A. and Luch A. Spriggs, as aforesaid, passing through an iron pin set 30.00 feet southerly on the southerly line of East Hamilton Avenue, a line of land as conveyed to H.W. Reighley by Deed dated September 15, 1937 and recorded in Volume 290, Page 269 Lorain County Record of Deeds;

Thence South 88 degrees 15' East along said Northerly line of land of H.W. Reighley, a distance of 108.98 feet to an iron pin set;

Thence North 2 degrees 30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106 and the principal place of beginning of the land herein described, and passing through an iron pin set 30.00 feet Southerly therefrom on the Southerly line of said avenue.

Page 2 -

ANNEXATION TO THE CITY OF OBERLIN
OF 2.35 ACRES, MORE OR LESS
IN RUSSIA TOWNSHIP

Containing within said bounds 2.3454 acres of land, be the same more or less, but subject to all legal highways as surveyed by C.E. Penfound, Registered Surveyor No. 3200, on May 15, 1956.

Permanent Parcel No. 09-00-106-000-041.

The property address is 45737 East Hamilton Street and consists of 2.35 acres, more or less, located adjacent to and contiguous with said City.

/js

EXHIBIT B

City of
Oberlin

85 South Main Street, Oberlin, Ohio 44074

(440) 775-1531 January 11, 1999

Eric Severs, City Solicitor
BankOne Building
Oberlin, OH 44074

RE: Hill Annexation

Dear Solicitor Severs:

Regarding services which would be available to the Hill property along Hamilton Road, I would note the following:

- WATER** An 8 inch water line abuts the property on Hamilton. In the current case, the property owner is connected as an outside customer. Upon annexation, they will receive a reduction in their water bill of thirty-three percent.
- SEWER** An eight inch sanitary sewer line abuts the property on Hamilton Street. Upon annexation, the property owner would be entitled to connect to this line.
- POLICE** The City operates a full-service police department with centralized dispatch.

The above is in addition to Fire, Recreation, and Planning services available from the City of Oberlin.

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

Sincerely,



Michael J. Sigg
Director of Public Works

cc: Rob DiSpirito, City Manager
Eugene Simon, City Clerk

"Ohio's Best College Town"

—OHIO Magazine

PARENT PARCEL: 09-00-106-000-041

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

STARTING POINT: CL OF E HAMILTON AVE. & N.E. CORNER OF O.L. 106

NO. 00156-X

ANNEXATION

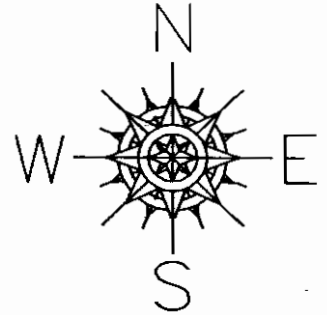
09-00-106-000-041

2.35 A.

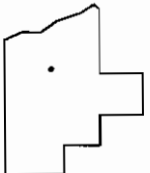
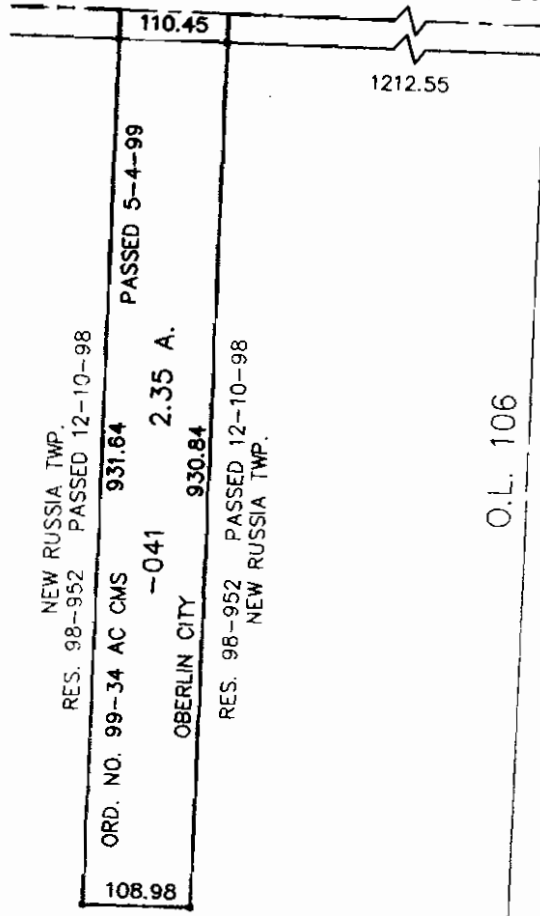
ANNEX TO CITY OF OBERLIN

ORD. NO. 99-34 AC CMS

RES. NO. 98-952



E. HAMILTON AVE. 60'



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

SURVEYED BY: C.E. PENFOUND
 CLOSURE: 33.11 : 10.000
 MAP PAGE(S): 09-00-106-A
 APPROVED BY: I. SPILLMAN DATE: 08/18/99
 SCALE: 1" = 200' PRIOR INSTRUMENT: NONE

NOTICE OF HEARING ON
PETITION FOR ANNEXATION
TO THE CITY OF OBERLIN, OHIO OF
2.35 ACRES, MORE OR LESS,
IN NEW RUSSIA TOWNSHIP

On February 4, 1999 @ 11:00 a.m., at 226 Middle Avenue, Public Hearing Room, 4th Floor, Elyria, Ohio, The Lorain County Board of Commissioners shall hold a hearing on the Petition filed by ELAINE SMITH-HILL aka ELAINE R. SMITH ("Petitioner") on November 19, 1998 for the annexation of the real property described below (the "Territory") to the City of Oberlin, Lorain County, Ohio.

Situated in the Township of New Russia, County of Lorain and State of Ohio:

And known as being part of Original Russia Township Lot No. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline of East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106;

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Thence South 88 degrees 15' East along said Northerly line of land of H.W. Reighley, a distance of 108.98 feet to an iron pin set;

Thence North 2 degrees 30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the

... described, and passing through
an iron pin set 30.00 feet Southerly therefrom on the
Southerly line of said avenue.

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May 15, 1956.

Permanent Parcel No. 09-00-106-000-041

The property address is 45737 East Hamilton St. and consists
of 2.35 acres, more or less, located adjacent to and
contiguous with said City. Exhibit "B" attached to said
Petition consists of an accurate map or plat showing the
boundaries of the Territory. Petitioner is the only owner of
real estate in the Territory.

UAW Legal Services Plan and Christine M. Tobin, Attorney
at Law, are agents for Petitioner as required by O.R.C.
§709.02 and were granted by the Petitioner full power and
authority to amend, alter, change, correct, withdraw or
re-file this Petition, increase or decrease the size of the
territory and do any and all things necessary and essential
to this Petition and to take any other action necessary
pertaining to the granting of this Petition.

CHRISTINE M. TOBIN, ESQ. #24979
UAW LEGAL SERVICES PLAN
AGENTS AND ATTORNEYS FOR
ELAINE SMITH-HILL AKA ELAINE R. SMITH
602 Leona St., Elyria, OH 44035
(440) 324-2409

ORDINANCE NO. 99-34 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 2.35 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNER, ELAINE SMITH-HILL, AND DECLARING AN EMERGENCY

WHEREAS, a petition for the annexation of certain territory containing approximately 2.35 acres of land within New Russia Township was duly filed by the property owner, Elaine Smith-Hill; and

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on February 4, 1999; 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 February 24, 1999; and

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, Elaine Smith-Hill, 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 Russia, County of Lorain and State of Ohio, and known as being part of Original Russia Township Lot No. 106, and bounded and described as follows:

Commencing at an iron pin found in the centerline of East Hamilton Avenue, said centerline being also the Northerly line of Original Lot 106, at its point of intersection with the Easterly line of Original Lot 106;

Thence North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 1212.55 feet to a point, said point being the principal place of beginning of the land herein described;

Thence continuing North 87 degrees 48' West along the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106, a distance of 110.45 feet to a point; said point being also the Northeasterly corner of land conveyed to Daniel A. and Lucy A. Spriggs by deed dated March 23, 1956, and recorded in Volume 660, Page 513, Lorain County Deed Records;

Thence South 2 degrees 29' 30" West along the Easterly line of land so conveyed to Daniel A. and Lucy A. Spriggs, as aforesaid, passing through an iron pin set 30.00 feet Southerly on the Southerly line of East Hamilton Avenue, a distance of 931.64 feet to an iron pin set in the Northerly line of land as conveyed to H. W. Reighley by Deed dated September 15, 1937 and recorded in Volume 290, Page 269 Lorain County Record of Deeds;

Thence South 88 degrees 15' East along said Northerly line of land of H. W. Reighley, a distance of 108.98 feet to an iron pin set;

Thence North 2 degrees 30' East, a distance of 930.84 feet to a point in the centerline of East Hamilton Avenue and the Northerly line of Original Lot 106 and the principal place of beginning of the land herein described, and passing through an iron pin set 30.00 feet Southerly therefrom on the Southerly line of said avenue.

Containing within said bounds 2.3454 acres of land, be the same more or less, but subject to all legal highways as surveyed by C.E. Penfound, Registered Surveyor No. 3200, on May 15, 1956.

Permanent Parcel No. 09-00-106-000-041,

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 Kenneth Blackwell, 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 - May 3, 1999 (E)
2nd Reading -
3rd Reading -

ATTEST:



CLERK OF COUNCIL



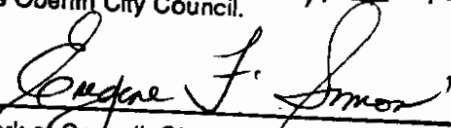
CHAIR OF COUNCIL

POSTED: May 5, 1999

EFFECTIVE DATE: May 4, 1999

a:\ORD99-34Smith Annex

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 99-34 as passed by the Oberlin City Council.



Clerk of Council, City of Oberlin, Ohio