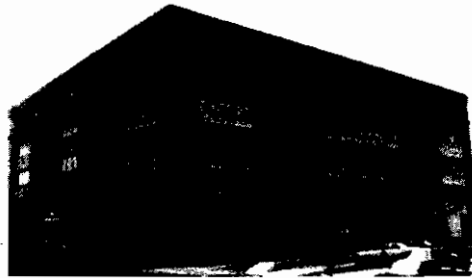


LORAIN COUNTY



Board of Commissioners

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

February 3, 1999

Olga Sivinski, Clerk
Amherst City
206 S. Main Street
Amherst, Ohio 44001

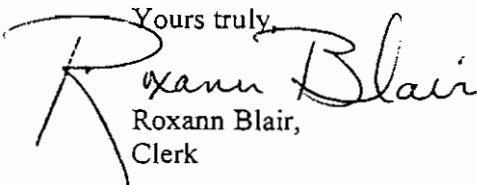
Dear Ms. Sivinski:

Enclosed is a transcript of proceedings granting the proposed Annexation of approximately 5.88 acres in Amherst Township to the City of Amherst Ohio, Attorney Robert Gargas, Agent.

The Lorain County Board of Commissioners adopted Resolution No. 99-55 on January 21, 1999 granting the Annexation.

This is being forwarded for your information and files.

Yours truly,


Roxann Blair,
Clerk

RB/tu
Enclosure

Cc: Attorney Robert Gargas
Doris Jean Thomas, Clerk, Amherst Township
Kenneth P. Carney, Lorain County Engineer/Attn: John Hamilton
Mark Stewart, Lorain County Auditor
John Mowry, 911 Director
Mary Ann Jamison, Lorain County Recorder
Frank Colbert, Tax Map
Greg Stempowski, Board of Elections
Gerald A. Innes, Assistant County Prosecutor
File

RESOLUTION NO. 99-55

In the matter of granting Annexation of approximately)
5.88 acres in Amherst Township to the City of Amherst) January 21, 1999
Ohio, Attorney Robert Gargas, Agent)

BE IT RESOLVED, we do hereby grant the Annexation of approximately 5.88 acres in Amherst Township to the City of Amherst, Ohio, based upon the following: Annexation is beneficial to government services this property will receive; this Annexation will serve the good of the territory to be annexed; the territory is not unreasonably large and the balance of detriment to the Township of Amherst does not outweigh the potential general good of the territory to be annexed; and

FURTHER BE IT RESOLVED we hereby grant annexation of the following described territory;

Situated in Original Amherst Township Lot Number 16, County of Lorain, and State of Ohio and being more particularly described as follows:

Commencing at an iron pin found in a monument box located in the centerline of Pyle-South Amherst Road and the northerly line of the lands conveyed to Francis D. and Betty L. Kelleher by deed recorded in Volume 1241 Page 866 of the Lorain county Record of Deeds;

Thence N. 37 Degrees 08 minutes 00 seconds E, in the centerline of Pyle-South Amherst road a distance of 185.12 feet to a point in the centering of Pyle-South Amherst Road;

Thence N. 56 Degrees 37 minutes 59 seconds W. in a line a distance of 30.07 feet to a point in the northwesterly line of Pyle-South Amherst Road and the principal point of beginning of the land hereinafter described;

Thence continuing in the said line N. 56 Degrees 37 minutes 59 seconds W. a distance of 349.41 feet to an iron pin found;

Thence S. 37 Degrees 08 minutes 00 seconds W. a distance of 125.00 feet to an iron pin found:

Thence S. 56 Degrees 37 minutes 59 Second E. in a line a distance of 12.66 feet to an iron pin found;

Thence S. 30 Degrees 45 minutes 00 seconds W. a distance of 39.20 feet to an iron pin found in the northerly line of the Richard and Jean Rice Property as recorded in Volume 1135 Page 41 and Volume 1262 Page 324 of the Lorain county Record of Deeds;

Thence in said northerly line N. 65 Degrees 06 minutes 00 seconds W. to a point in the centerline of Beaver Creek and the current corporation line of the City of Amherst;

Thence meandering in the centerline of Beaver Creek and the corporation line of the City of Amherst in a northeasterly and then a southeasterly direction to a point;

Thence continuing in the centerline of Beaver Creek and the corporation line of the City of Amherst meandering in an easterly and then southeasterly direction to a point, said point being located 210 feet at a bearing of North 34 Degrees 12 minutes 00 seconds W. from a point on the centerline of Pyle-South Amherst Road;

Thence S. 51 Degrees 43 minutes 00 seconds W. in a line to a point on the westerly line of property, owned now or formerly by Don Buchs as recorded in Volume 1228, Page 521 of the Lorain County Records;

Thence S. 34 Degrees 12 minutes 00 seconds E. in the said westerly line a distance of 179.92 feet to an iron, pin found and the northwesterly line of Pyle-South Amherst Road;

Thence in the northwesterly line of Pyle-South Amherst Road S. 51 Degrees 43 minutes 00 seconds W. a distance of 120.84 feet to an angle point in the northwesterly right-of-way line

Thence S. 37 Degrees 08 minutes 00 seconds W. in the northwesterly right-of-way line a distance of 20.10 feet to the principal point of beginning of the land herein described, containing 5.88 acres of land be the same more or less;

Description prepared by Patrick A. McGannon Registered Professional Surveyor Number 7154 from available records and not an actual survey.

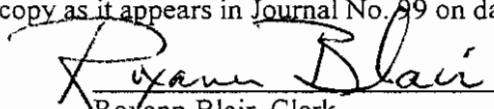
Bearings used are to an assumed meridian and are used to describe angles only.

BE IT FURTHER RESOLVED, a certified copy of the final transcript of this Board Of 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 Amherst, Ohio

Motion by Ross, seconded by Blair to adopt Resolution. Ayes: All with Exception of Commissioner Vasi, absent, due to illness.

Motion carried. _____

I, Roxann Blair, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 99-54 is a true copy as it appears in Journal No. 99 on date of January 21, 1999.


Roxann Blair, Clerk

CITY OF AMHERST, OHIO



OFFICE OF THE
CLERK OF COUNCIL
(216) 988-2420

206 S. MAIN ST.
44001

May 24, 1999

TO WHOM IT MAY CONCERN:

ENCLOSED PLEASE FIND A CERTIFIED COPY OF 0-99-69
REGARDING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY
OF AMHERST FROM AMHERST TOWNSHIP.

THE LEGISLATION, DESCRIPTION AND MAPS (AND CHECKS, IF
APPROPRIATE) ARE ENCLOSED.

IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO
CALL.

I AM IN THE OFFICE ON MONDAYS 9:00 A. M. TO NOON, AND
TUESDAYS AND THURSDAYS 9:00 A. M. TO 3:00 P. M.

YOURS TRULY,

OLGA SIVINSKI
CLERK OF COUNCIL

RECEIVED 5/24/99

RESOLUTION NO. 99-55

In the matter of granting Annexation of approximately) 5.88 acres in Amherst Township to the City of Amherst) January 21, 1999 Ohio, Attorney Robert Gargas, Agent)

DESCRIPTION

BE IT RESOLVED, we do hereby grant the Annexation of approximately 5.88 acres in Amherst Township to the City of Amherst, Ohio, based upon the following: Annexation is beneficial to government services this property will receive; this Annexation will serve the good of the territory to be annexed; the territory is not unreasonably large and the balance of detriment to the Township of Amherst does not outweigh the potential general good of the territory to be annexed; and

FURTHER BE IT RESOLVED we hereby grant annexation of the following described territory;

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Thence continuing in the said line N. 56 Degrees 37 minutes 59 seconds W. a distance of 349.41 feet to an iron pin found;

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Thence meandering in the centerline of Beaver Creek and the corporation line of the City of Amherst in a northeasterly and then a southeasterly direction to a point;

Thence continuing in the centerline of Beaver Creek and the corporation line of the City of Amherst meandering in an easterly and then southeasterly direction to a point, said point being located 210 feet at a bearing of North 34 Degrees 12 minutes 00 seconds W. from a point on the centerline of Pyle-South Amherst Road;

Thence S. 51 Degrees 43 minutes 00 seconds W. in a line to a point on the westerly line of property, owned now or formerly by Don Buchs as recorded in Volume 1228, Page 521 of the Lorain County Records;

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Description prepared by Patrick A. McGannon Registered Professional Surveyor Number 7154 from available records and not an actual survey.

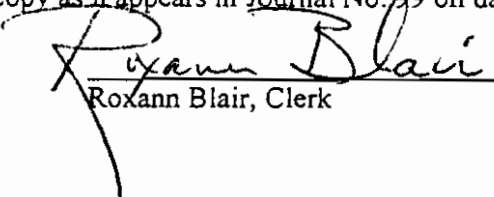
Bearings used are to an assumed meridian and are used to describe angles only.

BE IT FURTHER RESOLVED, a certified copy of the final transcript of this Board Of 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 Amherst, Ohio

Motion by Ross, seconded by Blair to adopt Resolution. Ayes: All with Exception of Commissioner Vasi, absent, due to illness.

Motion carried.

I, Roxann Blair, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 99-54 is a true copy as it appears in Journal No. 99 on date of January 21, 1999.


Roxann Blair, Clerk

[Signature]
Clerk of Council

ORDINANCE NO. 0-99-69

AN ORDINANCE TO ACCEPT THE ANNEXATION TO THE CITY OF AMHERST A PARCEL OF LAND LOCATED IN AMHERST TOWNSHIP BEING APPROXIMATELY 5.88 ACRES.

WHEREAS, a Petition for the annexation of certain territory in Amherst Township was duly filed by Attorney Robert J. Gargas, as agent for Petitioners Dan Gross, Janet Gross, Ernest Papay, and Dorothy Papay; and

WHEREAS, the said Petition was duly considered by the Board of County Commissioners of Lorain County on January 21, 1999; and

WHEREAS, the Board of County Commissioners approved the annexation of said territory to the City of Amherst as hereinafter described by Resolution 99-54; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with said annexation with the map and Petition required in connection therewith to the City Clerk; and

WHEREAS, sixty (60) days from the date of said filing with the City Clerk has now lapsed in accordance with the provisions of Ohio Revised Code Section 709.04.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Amherst, County of Lorain, and State of Ohio:

SECTION 1. That the proposed annexation as applied for in the Petition of Attorney Robert J. Gargas, as agent for Petitioners Dan Gross, Janet Gross, Ernest Papay, and Dorothy Papay, and filed with the Board of County Commissioners of Lorain County, Ohio, on October 5, 1998, in which said Petition prayed for an annexation to the City of Amherst, of certain territory located on Pyle South Amherst Road, as hereinafter described and which said Petition was approved for annexation to the City of Amherst by the Board of County Commissioners on January 21, 1999, be and the same hereby is accepted. Said territory is situated in the Township of Amherst, County of Lorain, State of Ohio, and being more specifically described in Exhibit "A", attached hereto and incorporated herein for all purposes. The certified transcript of the proceedings for annexation with an accurate map of said territory, together with the Petition for its annexation and other papers relating to the proceedings thereto of said County Commissioners are on file with the Clerk of this Council and have been for more than sixty (60) days.

SECTION 2. That the Clerk of Amherst City Council be and hereby is authorized and directed to make two 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 the proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Amherst City Council shall

then forthwith deliver one copy to the County Recorder of Lorain County, Ohio, and one copy to the Secretary of State of the State of Ohio, and to do all things as required by law.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 Ohio Revised Code.

WHEREFORE, this ordinance shall be in full force and effect at the earliest time period permitted by law.

1st reading 4/12/99
2nd reading 4/26/99
3rd reading 5/10/99

Wayne A. White
PRESIDENT OF COUNCIL

PASSED May 10, 1999

05-11-99
APPROVED

ATTEST Olga Stivich

John Higgins
MAYOR

Approved as to form by:

Alan W. Anderson

Alan W. Anderson, Director of Law

Filed with the Mayor: 5/11/99

A-99-55

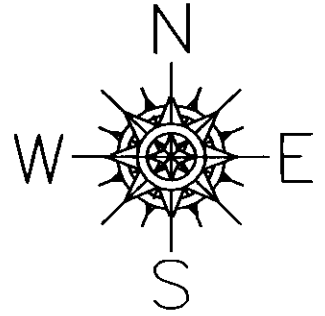
PARENT PARCEL: 05-00-016-000-047 & -126

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

STARTING POINT: MON. BOX, E. OF PYLE S. AMHERST RD. &

NORTH LINE OF LAND CONVEYED TO KELLEHER

NO. 00010-X



-047
0.93 A.

-126
4.92 A.

ORD. NO. 0-99-69
PASSED 5-10-99
AMHERST CITY

ORD. NO. 0-99-69
PASSED 5-10-99
AMHERST CITY

483.95
AMHERST TWP.
CORP.
RES. NO. 99-55

12.66
12.66
24.32
CITY TWP

349.41
AMHERST TWP.
CORP.
RES. NO. 99-55

120.84
120.10
30.07
CITY TWP

ANNEXATION

ANNEX TO AMHERST CITY

ORD. NO. 09-99-69

RES NO. 99-55

05-00-016-000-047 & -126

AMHERST CITY TWP



SPLITS/DEEDS PROCESSED

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

SURVEYED BY: PATRICK A. MCGANNON

CLOSURE: NA

MAP PAGE(S): 05-00-016-B

APPROVED BY: TJS DATE: 02/26/99

SCALE: 1" = 100 PRIOR INSTRUMENT: NONE