

ORDINANCE NO. 08-15 AC CMS

AN ORDINANCE REZONING TWO SUBLOTS OWNED BY THE CITY OF OBERLIN AND ADJACENT TO SMITH STREET IN THE CITY FROM "C-1"/CENTRAL BUSINESS DISTRICT TO "R-1"/SINGLE-FAMILY DWELLING DISTRICT

WHEREAS, the Oberlin Planning Commission has considered the present zoning of two sublots owned by the City of Oberlin and located adjacent to Smith Street in the City and has recommended to this Council the rezoning of same from "C-1"/Central Business District zoning to "R-1"/Residential District zoning; and

WHEREAS, this Council has held a public hearing concerning said recommendation and has given notice of same pursuant to law.

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 two sublots located adjacent to Smith Street in the City of Oberlin and described in the attached Exhibit "A" are hereby rezoned from "C-1"/Central Business District to "R-1"/Single -Family Dwelling District use.

SECTION 2. That the City Manager is hereby directed to mark the present zoning map of the City of Oberlin to show that said sublots have been so rezoned.

SECTION 3. 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 4. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading – March 3, 2008
2nd Reading March 17, 2008
3rd Reading – April 21, 2008

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Souther
PRESIDENT OF COUNCIL

POSTED: 4/22/08

EFFECTIVE DATE: 5/20/08

EXHIBIT A

QUIT-CLAIM

KNOW ALL MEN BY THESE PRESENTS

THAT NEW SUNRISE PROPERTIES, an Ohio Non-Profit Corporation, the Grantor, which claims title by or through instrument, recorded in Document Nos. 2004007996, 2004007995 and 2004046202, Lorain County Recorder's Office for the consideration of Ten and no/100-----
-----Dollars (\$10.00) grants, to CITY OF OBERLIN, an Ohio Municipal Corporation, the Grantee, whose TAX-MAILING ADDRESS will be:

85 South Main Street

Oberlin, Ohio 44074

having GIVEN, GRANTED, REMISED, RELEASED AND FOREVER QUIT-CLAIMED, and does by these presents absolutely give, grant, remise, release and forever quit-claim its entire interest unto the said Grantee, its heirs and assigns, forever all such right and title, as it, the said Grantor, has or ought to have in and to the following described piece or parcel of land:

PARCEL NO. 1:

Situated in the City of Oberlin, County of Lorain and State of Ohio, and known as being part of Original Russia Township Lot No. 96 and bounded and described as follows: Beginning on the Northerly line of Follett Street, extended Easterly, at a point 200 feet West from the Westerly line of South Pleasant Street, and at the Southwesterly corner of land conveyed to Kate M Cunningham by deed dated April 20, 1925 and recorded in Volume 208, Page 603 of Lorain County Records; thence Northerly along the Westerly line of land so conveyed to Kate M. Cunningham 136 feet to the Southerly line of land conveyed to Thomas Tkach by deed dated February 5, 1946 and recorded in Volume 381, page 272 of Lorain County Records; thence Westerly along the Southerly line of land so conveyed to Thomas Tkach, 40 feet; thence Southerly, parallel to the Westerly line of land so conveyed to Kate M Cunningham, a distance of about 136 feet to the Northerly line of Follett Street; thence Easterly along the Northerly line of Follett Street, a distance of 40 feet to the place of beginning of premises herein described, be the same more or less, but subject to all legal highways.

Permanent Parcel No.: 09-00-096-103-023

PARCEL NO. 2:

Situated in the City of Oberlin, County of Lorain, and State of Ohio, and bounded and described as follows: Original Lot 96, 40 feet frontage being the same property conveyed by L. L. Munson to Kate M. Cunningham by deed recorded in Volume 208, at Page 603, Lorain County Record of Deeds, wherein it is further described as: Being a tract of land in Russia Township, Lot No. 96 and lying between South Main and South Pleasant Streets and on the North line of the extension Easterly of Follette Street from Main to Pleasant Street and bounded and described as follows: Beginning at a point in the said North line of Follette Street extended Easterly 160 feet Westerly from the West line of South Pleasant Street; thence North parallel with the said West line of South Pleasant Street 36 feet to a point; thence Westerly parallel with said North line of Follette Street extended Easterly 40 feet; thence Southerly 136 feet parallel with the East line, to the said North line of Smith Street formerly known as Follette Street extended Easterly; thence Easterly in said North line of Follette Street (extended) to the place of beginning, be the same more or less, but subject to all legal highways.

Further known as a vacant lot on the North side of Smith Street adjacent to the rear of Parcel No. 1 and approximately 160 feet from Pleasant Street, Oberlin, Ohio.

Parcel No. 09-00-096-103-024