

ORDINANCE NO. 09- 08 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 27.9260 ACRES FROM PITTSFIELD TOWNSHIP TO THE CITY OF OBERLIN UPON APPLICATION OF PETITIONER DAVID L. HANMER, TRUSTEE OF THE MERLE HANMER TRUST

WHEREAS, a Petition for the annexation of certain territory containing approximately 27.9260 acres of land within Pittsfield Township was duly filed by the property owner, David L. Hanmer, Trustee of the Merle Hanmer Trust; and

WHEREAS, the Petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on November 13, 2008; 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 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 November 17, 2008; and

WHEREAS, sixty (60) days from the date of that filing have now elapsed in accordance with the provisions 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, David L. Hanmer, Trustee of the Merle Hanmer Trust, for the annexation of the territory described in **Exhibit A** attached hereto and incorporated herein by reference, in the County of Lorain and located adjacent to the City of Oberlin, an accurate map of which territory together with the petition for its annexation and other papers relating thereto, and a certified copy of the 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 in accordance with Section 1329.06 of the Codified Ordinances of the City of Oberlin, and shall be subject to the land uses and design standards applicable thereto.

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 Judy Nedwick, Lorain County Recorder, and one copy to the Ohio 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.

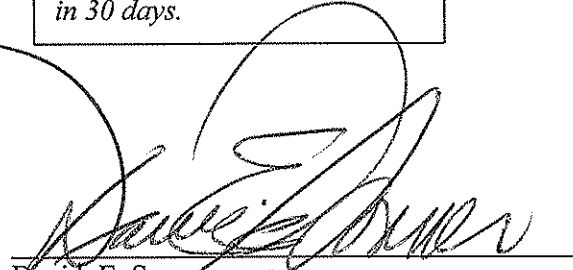
SECTION 5. That this Ordinance shall be effective from and after the earliest date allowed by law.

PASSED: 1st Reading – 01/20/2009 (S)
2nd Reading –
3rd Reading –

Suspension of Rules: effective in 30 days.

ATTEST:


Belinda B. Anderson
CLERK OF COUNCIL


David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 1/21/2009

EFFECTIVE DATE: 2/19/2009

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LEGAL DESCRIPTION
Parcel to be Annexed to the City of Oberlin
July 20, 2008

Situated in the Township of Pittsfield, Lorain County, State of Ohio, and being part of Original Pittsfield Township Lot 16; and being all of the parcel of land described in Lorain County O.R. Volume 918 Page 857 to David Hanmer Trustee, excepting O.R. Volume 1013 Page 908; and being more definitely described as follows:

BEGINNING at monument box found at an angle point in the centerline of State Route 58;

Thence along the centerline of State Route 58 North $00^{\circ}58'23''$ East 29.45 feet to the southwest corner of Original Lot 16;

Thence continuing along the centerline of State Route 58 and the west line of Original Lot 16 North $00^{\circ}58'23''$ East 642.13 feet;

Thence departing centerline of State Route 58 and the west line of Original Lot 16 South $89^{\circ}01'37''$ East 50.00 feet to a pin set in the east line of State Route 58 and the **PRINCIPAL PLACE OF BEGINNING** of the land herein described;

Thence along the east line of State Route 58 North $00^{\circ}58'23''$ East 685.14 feet to a pin set in the south line of the 1.42-acre parcel of land described in Lorain County Deed Volume 1006 Page 667 to James & Shirley Stump;

Thence along the south line of Stump's 1.42-acre parcel North $89^{\circ}45'42''$ East 306.50 feet to a pin set at the southeast corner thereof;

Thence along the east line of Stump's 1.42-acre parcel North $00^{\circ}58'23''$ East 200.00 feet to a pin set in the north line of Original Lot 16;

Thence along the north line of Original Lot 16 North $89^{\circ}45'42''$ East 921.24 feet to an iron pin found at the northwest corner of the 18.87-acre parcel of land described in Lorain County Document No. 2003-08911116 to Douglas & Lorie Ann Wilber;

Thence along the west line of Wilber's 18.87-acre parcel South $01^{\circ}20'26''$ W 610.71 feet to an iron pin found at the northeast corner of the 0.87-acre parcel of land described in Lorain County O.R. Volume 1013 Page 908 to Robert & Brenda Hanmer;

Thence along the north line of Hanmer's 0.87-acre parcel South $89^{\circ}13'55''$ West 253.79 feet to an iron pin found at the northwest corner thereof;

Thence along the west line of Hanmer's 0.87-acre parcel and then the west line of the 2.32-acre parcel of land described in Lorain County Deed Volume 1016 Page 601 to Robert & Brenda Hanmer South $00^{\circ}37'09''$ West 583.80 feet to an iron pin found in the north line of State Route 20;

Thence along the north line of State Route 20 in the arc of a curve that is concave to the north and having a radius of 11399.16 feet; a length of 485.29 feet; a tangent of 242.68 feet; an included angle of $2^{\circ}26'21''$; a chord of 485.25 feet; and bearing South $78^{\circ}20'17''$ West to a pin set;

