

CITY OF OBERLIN, OHIO

ORDINANCE No. 15-22 AC CMS

AN ORDINANCE STATING THE SERVICES THAT THE CITY OF OBERLIN WILL PROVIDE UPON THE ANNEXATION OF PROPERTY LOCATED AT 14199 STATE ROUTE 58 SOUTH TO THE CITY OF OBERLIN UPON THE PETITION OF THE OWNER AS REQUIRED UNDER SECTION 709.03(D) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

WHEREAS, Joshua E. Lamb, Esq., as Agent for the owner, has petitioned the Board of Commissioners of Lorain County, Ohio to annex to the City of Oberlin certain real property having an address of 14199 St. Rt. 58, Oberlin and being 0.7229 acres located within New Russia Township as is more fully described in **Exhibit A**, attached hereto and incorporated herein, hereinafter referred to as the "Territory;" and,

WHEREAS, pursuant to Ohio Revised Code Section 709.03(A), the Board of Commissioners of Lorain County, Ohio, have set June 2, 2015 at 9:30 a.m. in the Lorain County Board of Commissioners' Public Hearing Room, J. Grant Keys Administration Building, 226 Middle Avenue, 4th floor, Meeting Room B Elyria, Ohio, as the time and place for the public hearing on the owner's Petition for annexation; and,

WHEREAS, having received notice of said public hearing, pursuant to Ohio Revised Code Section 709.03(D) the Council of the City of Oberlin shall adopt by ordinance or resolution a statement indicating what services the City of Oberlin will provide to said Territory and the approximate date such services will be provided upon annexation of said Territory to the City of Oberlin; and

WHEREAS, Ohio Revised Code Section 709.03(D) requires that said statement shall be filed with the Lorain County Board of Commissioners no later than 20 days prior to the date set for public hearing.

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Ohio:

SECTION 1: That upon annexation of the Territory, the City of Oberlin will provide the same services that the City regularly and customarily provides to real property located within the City, at the same rates, fees, and conditions, as established by this Council for such services, which services shall include, but not be limited to, police, fire, water, sanitary sewer, electrical and refuse and recycling collection, and the enforcement of applicable housing, zoning and building code regulations, conditioned upon the owner's payment of all costs to extend existing City facilities to said Territory charged by the City for said facilities and the payment of all other applicable costs and fees.

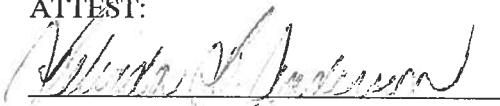
SECTION 2: That the Clerk of Council shall provide a certified copy of this Ordinance to the Board of Commissioners of Lorain County, Ohio, no later than May 13, 2015.


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 is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to submit to the Board of Commissioners of Lorain County a statement of services that the City of Oberlin Will provide to the Territory upon its annexation within the time required by law and shall take effect immediately upon passage.

PASSED: 1st Reading: May 4, 2015 (E)
2nd Reading: _____
3rd Reading: _____

ATTEST:


BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

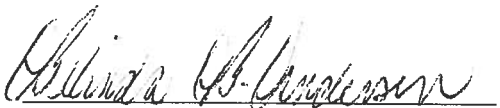

H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

POSTED: 05/05/2015

EFFECTIVE DATE: 05/04/2015

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 15-22 AC CMS as passed by the Oberlin City Council.

Seal


Belinda B. Anderson, MMC
Clerk of Council, City of Oberlin, Ohio



Jon D. Clark, Law Director
jclark@cityofoberlin.com

Frank Carlson, Assistant Law Director/Prosecutor

May 7, 2015

Lorain County Board of Commissioners
226 Middle Ave., 4th floor
Elyria, OH 44035

RE: Petition for Annexation of 14199 State Route 58, Oberlin, OH 44074

Dear Commissioners:

Pursuant to Ohio Revised Code Section 709.03(D), on behalf of the City of Oberlin, I submit herewith a certified copy of Ordinance No. 15 – 22 AC CMS stating the services that the City will provide upon the annexation of the above-referenced property.

Should you have any questions or comments please do not hesitate to contact me.

Very truly yours,

Jon D Clark

JDC/me

Enc.

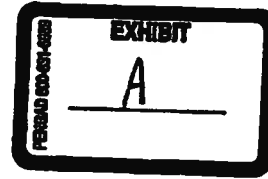
cc: Joshua E. Lamb, Esq.

Post-it® Fax Note	7671	Date	5-7-15	# of pages	6
To	Joshua Lamb	From	Theresa Lipton		
Co./Dept.		Co.	BDC		
Phone #	440-988-9000	Phone #	440-329-5103		
Fax #	440-988-9002	Fax #	440-323-3357		

LEGAL DIRECTOR

2015 MAY -7 P 3: 34

RECEIVED
LORAIN COUNTY
COMMISSIONERS



Legal Description

Situated in the County of Lorain, in the State of Ohio and being known as part of New Russia Township Original Lot No. 106 and being further bounded and described as follows:

Beginning at an iron pin found in a monument box at the intersection of the centerlines of Hamilton Street (60 feet wide) and State Route 58 (variable width), said iron pin being the Northwestern corner of Original Lot No. 106;

Thence, South 01 degrees 27'35" East a distance of 661.09 feet along the centerline of said State Route 58 and the Westerly line of said Original Lot No. 106, to a point thereon being a point on a Southerly Corporation line of the City of Oberlin;

Thence, North 87 degrees 18'45" East a distance of 46.51 feet along said Southerly Corporation line, to an iron pin set on the Easterly right-of-way line of said State Route 58, said iron pin also being a point on the Southerly line of land conveyed to WGI Properties, LLC by deed recorded in document no. 20090316898 of Lorain County Recorder's Records on November 17, 2009, and being the Principal Place of Beginning;

Thence continuing North 87 degrees 18'45" East a distance of 318.08 feet along said Southerly Corporation line and the Southerly line of said land conveyed to WGI Properties, LLC, to the Southeasterly corner thereof, being a point on the Westerly line of a parcel of land conveyed to WGI Properties, LLC by deed recorded in document no. 20090295369 of Lorain County Recorder's Records on May 15, 2009, said Westerly line also being the Corporation line of the City of Oberlin;

Thence, South 01 degrees 32'19" East a distance of 99.00 feet along said Westerly line of a parcel of land conveyed to WGI Properties, LLC and the Corporation line of the City of Oberlin, to a point thereon, being the Northeast corner of Parcel No. 1 of land conveyed to Wilma C. Hunt, Trustee by deed recorded in document no. 20140503765 of Lorain County Recorder's Records on May 6, 2014,

Thence, South 87 degrees 18'47" West a distance of 318.22 feet along the Northerly line of said Parcel No. 1 of land conveyed to Wilma C. Hunt, Trustee and the Northerly line of Parcel No. 2 of land conveyed to Wilma C. Hunt, Trustee by deed recorded in document no. 20140503765 of Lorain County Recorder's Records on May 6, 2014, to an iron pin set on the Easterly right-of-way line of said State Route 58,

Thence, North 01 degrees 27'35" West a distance of 99.00 feet along said Easterly right-of-way line of State Route 58, to the Principal Place of Beginning, containing 0.7229 Acres as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in February, 2015. Basis of bearings is the monumented centerline of State Route 58 (South 01 degrees 27'35" East) Iron pins set are 5/8" diameter, 30" long with plastic caps "T. Simon, S-7775".

Permanent Parcel No.: 09-00-106-000-058

THOMAS SIMON & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 150 SOUTH OLIVE STREET
 ELYRIA, OHIO 44035
 (440)327-2925

SURVEY FOR:
JAMES HORNING
FOR ANNEXATION PURPOSES

ORIGINAL LOT 106	CITY OF	DATE: 3: 2015	SCALE: 1" = 100'
ORIGINAL SECTION	VILLAGE OF	DWN BY 745	
TRACT	COUNTY OF LORAIN	JOB NO. 2015-00B	
TOWNSHIP OF NEW RUSSIA	STATE OF OHIO	PARCEL NO.	

Dimensions shown on this plat are expressed in feet and decimal parts thereof. All bearings are to an assumed meridian and are used to describe angles only. Permanent monuments were found or set as indicated, all of which I certify to be correct.

Thomas A. Simon
 Thomas A. Simon, Registered
 Professional Surveyor No. S-7775

