

**CITY OF OBERLIN, OHIO**  
**ORDINANCE No. 15- 37 AC CMS**

AN ORDINANCE STATING THE SERVICES THAT THE CITY OF OBERLIN WILL PROVIDE UPON THE ANNEXATION OF 98.37 ACRES MORE OR LESS LOCATED IN PITTSFIELD TOWNSHIP UPON THE PETITION OF THE LORAIN COUNTY JOINT VOCATION SCHOOL DISTRICT BOARD OF EDUCATION AS REQUIRED UNDER SECTION 709.023(C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, Jennifer A. Flint, as Agent for the Lorain County Joint Vocation School District Board of Education has petitioned the Board of Commissioners of Lorain County, Ohio to annex to the City of Oberlin certain real property being 98.37 Acres more or less located in Pittsfield Township, Ohio as more fully described in the petition attached as **Exhibit A** ("Petition") hereinafter referred to as the "Territory;" and,

WHEREAS, said Petition was filed with the Board of Commissioners of Lorain County on June 24, 2015; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty (20) days after the date that a petition is filed, the legislative authority of the municipal corporation to which annexation is proposed shall adopt an ordinance or resolution stating what services the municipal corporation will provide, and an approximate date by which it will provide them, to the territory proposed for annexation, upon annexation.

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Ohio five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1: That upon the annexation of the Territory pursuant to te Petition, the City of Oberlin will provide the same services that the City regularly and customarily provides to real property located within the City, upon such terms 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 zoning and building code regulations, conditioned upon the payment of all required costs and fees.

SECTION 2: That the Clerk of Council shall file a certified copy of this Ordinance with the Board of Commissioners of Lorain County, Ohio, no later than July 14, 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: July 13, 2015 (Failed)  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

\_\_\_\_\_  
OTT BROADWELL  
MENT OF COUNCIL

POSTED: N/A

VE DATE: FAILED

I hereby certify that the f  
by the Oberlin City Council.

-37 AC CMS as passed

Seal

*DO NOT SIGN!*

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



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June 24, 2015

VIA HAND-DELIVERY (by JVS Treasurer)

ATTN: Theresa Upton, Clerk  
Board of Lorain County Commissioners  
226 Middle Avenue, 4<sup>th</sup> Floor  
Elyria, Ohio 44035

Re: Expedited Type II Petition for Annexation of 98.37 acres (more or less) in Pittsfield Township to the city of Oberlin, Ohio Pursuant to R.C. 709.023

RECEIVED  
LORAIN COUNTY  
COMMISSIONERS  
2015 JUN 24 PM 3:45  
THERESA UPTON  
CLERK

Dear Ms. Upton,

Pursuant to R.C. 709.02(B), please find for filing:

1. An original Annexation Petition, seeking annexation of certain territory under the special annexation procedures set forth in R.C. 709.021 and 709.023 (and Exhibits thereto [legal description and map]).
2. A list of all tracts, lots or parcels in the territory proposed for transfer, and all tracts, lots or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, the permanent parcel numbers thereof, and the name and mailing address of each such respective owner.
3. Extra maps of the territory proposed for annexation.

Please date and/or time-stamp and file the original Annexation Petition and List of Tracts. The JVS is also presenting copies of the Annexation Petition and List of Parcels for date/time-stamping and return to the JVS for its files.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Jennifer A. Flint  
Attorney and Agent for the Petitioner

Enclosures

EXHIBIT G

**EXPEDITED TYPE II PETITION FOR THE ANNEXATION  
OF 97.73 ACRES MORE OR LESS  
IN THE TOWNSHIP OF PITTSFIELD  
TO THE CITY OF OBERLIN, OHIO  
PURSUANT TO OHIO REVISED CODE SECTION 709.023**

**TO THE BOARD OF COUNTY COMMISSIONERS  
OF LORAIN COUNTY, OHIO:**

The undersigned Petitioner in the premises, being all of the owners\* of real estate in the unincorporated territory of Pittsfield Township hereinafter described, consisting of 97.73 acres, more or less, adjacent and contiguous to the city of Oberlin, do hereby petition and request that said territory be annexed to the city of Oberlin under the procedures set forth in Ohio Revised Code Section 709.023.

A legal description of the perimeter and an accurate map of said territory proposed for annexation are attached hereto as Exhibits A and B and are made part hereof.

Jennifer A. Flint, whose address is: Bricker & Eckler LLP, 100 South Third Street, Columbus, Ohio 43215, and whose email address is: [jflint@bricker.com](mailto:jflint@bricker.com), is the Agent for the Petitioner, per R.C. 709.02(C)(3).

The owner(s) signing this Petition, by their signature(s), expressly waive any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in R.C. 709.023, and waives any rights to seek a variance that would relieve or exempt it from that buffer requirement.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR  
RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF  
COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION  
PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE,  
ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL  
THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR  
THIS SPECIAL ANNEXATION PROCEDURE.**

[Signature Page Follows]

**EXPEDITED TYPE II PETITION FOR THE ANNEXATION  
OF 97.73 ACRES MORE OR LESS  
IN THE TOWNSHIP OF PITTSFIELD  
TO THE CITY OF OBERLIN, OHIO  
PURSUANT TO OHIO REVISED CODE SECTION 709.023**

OWNER'S NAME

ADDRESS

LORAIN COUNTY JOINT VOCATIONAL  
SCHOOL DISTRICT BOARD OF EDUCATION

15181 State Route 58  
Oberlin, Ohio 44074

(Owner of Parcels 14-00-025-000-001; -002; and -006; and -004\*)

By, agents of Board of Education authorized to sign this petition:

Deborah Melde Date: 6/24/15  
President or Vice President of the  
Board of Education

[Signature] Date: 6/24/15  
Treasurer

[Signature] Date: 6/24/15  
Superintendent

STATE OF OHIO/OHIO DEPT. OF TRANSPORTATION  
(Owner of Parcel 14-00-025-000-004\*)

241 Stanford Parkway  
Findlay, Ohio 45840

906 N. Clark Street  
Ashland, Ohio 44805

\* Per the Lorain County Auditor, this parcel is owned by the state of Ohio; however, other records indicate that the state of Ohio only holds a perpetual easement in this parcel, which otherwise appears to be owned in fee by the Lorain County JVS Board of Education. In an abundance of caution, the state of Ohio is named as an owner of this parcel. Also note, per R.C. 709.02(B) the signature of the state of Ohio is not necessary.

**Area to be Annexed  
June 2015**

**Legal Description  
97.73 Acres**

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Situated in the Township of Pittsfield, County of Lorain, and State of Ohio and known as being part of Original Pittsfield Lot Number 25 as described in a deed to The Board of Education of the Lorain County Joint Vocational School District in Volume 991, Page 382-402 of the Lorain County Deed Records and in a deed to Lorain County Joint Vocational School District as recorded in O.R. Volume 803, Pages 562-564 of the Lorain County Deed Records and further bounded and described as follows:

Commencing at the northwesterly corner of Original Pittsfield Township Lot Number 25 and being **True Place of Beginning**;

- Course 1:** Thence **easterly**, along the northerly line of said Original Pittsfield Township Lot Number 25 and the centerline of Kipton Nickle Plate Road, a distance of **about 2499 feet** to the northeasterly corner of said Original Pittsfield Township Lot Number 25;
- Course 2:** Thence **southerly**, along the easterly line of said Original Pittsfield Township Lot Number 25, a distance of **about 1718 feet** to a point in the southeasterly corner of said Original Pittsfield Township Lot Number 25;
- Course 3:** Thence **westerly**, along the southerly line of said Original Pittsfield Township Lot Number 25, a distance of **about 2200 feet** to a point in the southeasterly corner of a parcel of land described in a deed to Douglas M. Nickles as recorded in O.R. Volume 127, Page 652-655 of the Lorain County Deed Records;
- Course 4:** Thence **northerly**, along the easterly line of said Nickles parcel, a distance of **about 150 feet** to a point in the northeasterly corner of said Nickles parcel;

**Area to be Annexed  
June 2015**

**Legal Description  
97.73 Acres**

**Course 5:** Thence **westerly**, along the northerly line of said Nickles parcel, a distance of **about 335.02 feet** to a point in the westerly line of said Original Pittsfield Township Lot Number 25;

**Course 6:** Thence **northerly**, along the westerly line of said Original Pittsfield Township Lot Number 25, a distance of **about 1578.7 feet** to the **True Place of Beginning**.

Containing within said bounds about **97.73 acres** of land, be the same more or less, but subject to all legal highways and easements of record

The above intends to describe all of Lorain County Auditor's Permanent Parcel Numbers: 14-00-025-000-001, 14-00-025-000-002, 14-00-025-000-004, & 14-00-025-000-006 for annexation purposes only.

This instrument has been prepared from record information only.







**TO THE BOARD OF COUNTY COMMISSIONERS  
OF LORAIN COUNTY, OHIO:**

Per R.C. 709.02(D), the following represents a list of: all tracts, lots or parcels in the territory proposed for the annexation of 98.37 acres, more or less, owned by the state of Ohio\* and the Lorain County Joint Vocational School District Board of Education, which territory is adjacent and contiguous to the city of Oberlin and is the subject of a Petition for Annexation per R.C. 709.023; and all tracts, lots or parcels located adjacent to that territory or directly across the road and/or roads from it (when the road and/or roads is/are adjacent to it), including the name and mailing address of the owner of each such tract, lot or parcel, and the permanent parcel number from the county auditor's permanent parcel numbering system for each such tract, lot or parcel:

**Parcels in the Territory Proposed for Annexation (98.37 acres)**

- **Parcel Number: 1400025000001**

**Owner: Lorain County Joint Vocational School District Board of Education**

**Address: 15181 State Route 58, Oberlin, Ohio 44074**

- **Parcel Number: 1400025000002**

**Owner: Lorain County Joint Vocational School District Board of Education**

**Address: 15181 State Route 58, Oberlin, Ohio 44074**

- **Parcel Number: 1400025000006**

**Owner: Lorain County Joint Vocational School District Board of Education**

**Address: 15181 State Route 58, Oberlin, Ohio 44074**

- **Parcel Number: 1400025000004\***

**Owner\*: State of Ohio/Ohio Dept. of Transportation**

**Mailing Address: 906 N. Clark Street, Ashland, Ohio 44805**

**Owner Address: 241 Stanford Parkway, Findlay, Ohio 45840**

\* Per the Lorain County Auditor, this parcel is owned by the state of Ohio; however, other records indicate that the state of Ohio only holds a perpetual easement in this parcel, which otherwise appears to be owned in fee by the Lorain County JVS Board of Education. In an abundance of caution, the state of Ohio is named as an owner of this parcel.

**Parcels Adjacent to/Directly Across the Street From the Territory Proposed for Annexation**

- **Parcel Number:** 1400015000011  
**Owner:** ROR LLC, Szambecki LLC, & DWW Pizza LLC  
**Address:** P.O. Box 370, Kent, Ohio 44240
  
- **Parcel Number:** 1400016000003  
**Owner:** Certified Oil Corp.  
**Address:** P.O. Box 182439, Columbus, Ohio 43218
  
- **Parcel Number:** 1400016000004  
**Owner:** Certified Oil Corp.  
**Address:** P.O. Box 182439, Columbus, Ohio 43218
  
- **Parcel Number:** 1400016000006  
**Owner:** Penny L. Taylor  
**Mailing Address:** 45890 Kipton Nickle Plate Road, Oberlin, Ohio 44053  
**Owner Address:** 4479 Santana Way, Lorain, Ohio 44053
  
- **Parcel Number:** 1400016000007  
**Owner:** Lucky Girl LLC  
**Address:** 45840 State Route 20, Oberlin, Ohio 44074
  
- **Parcel Number:** 1400016000008  
**Owner:** Lucky Girl LLC  
**Address:** 45840 State Route 20, Oberlin, Ohio 44074
  
- **Parcel Number:** 1400016000009  
**Owner:** Darel L. & Bonnie S. Underwood  
**Address:** 15305 Wheeler Road, La Grange, Ohio 44050

- Parcel Number: 1400016000016  
Owner: Deborah K. Davidson  
Address: 45635 State Route 20, Oberlin, Ohio 44074
- Parcel Number: 1400016000024  
Owner: Kathryn A. Magyar  
Address: 4417 Detroit Avenue, Cleveland, Ohio 44113
- Parcel Number: 1400016000025  
Owner: Donna L. Hubbell  
Address: 45450 Kipton Nickle Plate Road, Oberlin, Ohio 44074
- Parcel Number: 1400016000026  
Owner: Terrence L. Blewitt  
Address: 45640 Kipton Nickle Plate Road, Oberlin, Ohio 44074
- Parcel Number: 1400016000028  
Owner: Deborah K. Davidson  
Address: 45635 State Route 20, Oberlin, Ohio 44074
- Parcel Number: 1400016000032  
Owner: Robert A. Hamner, Trustee and John T. McGrann, Jr.  
Address: 45754 State Route 20, Oberlin, Ohio 44074
- Parcel Number: 1400017000025  
Owner: Donna L. Hubbell  
Address: 45450 Kipton Nickle Plate Road, Oberlin, Ohio 44074
- Parcel Number: 1400024000001  
Owner: Lorain County Joint Vocational School District Board of Education  
Address: 15181 State Route 58, Oberlin, Ohio 44074

- Parcel Number: 1400024000002  
Owner: Dovin Land Co. LLC  
Address: 15967 State Route 58, Oberlin, Ohio 44074
- Parcel Number: 1400025000005  
Owner: Douglas M. Nickles  
Address: 15305 State Route 58, Oberlin, Ohio 44074
- Parcel Number: 1400025000007  
Owner: Douglas M. Nickles  
Address: 15305 State Route 58, Oberlin, Ohio 44074
- Parcel Number: 1400026000005  
Owner: Beatrice E. Jensen  
Address: 15300 State Route 58, Oberlin, Ohio 44074
- Parcel Number: 1400026000006  
Owner: Calvin T. Harpe  
Address: 15286 State Route 58, Oberlin, Ohio 44074
- Parcel Number: 1400026000008  
Owner: Coles Land Development Co.  
Address: 3619 State Route 113, Milan, Ohio 44846
- Parcel Number: 1400026000013  
Owner: Obermeister 1031 LLC  
Address: 1301 E. Ninth Street #3300, Cleveland, Ohio 44114
- Parcel Number: 1400036000008  
Owner: Dovin Land Co. LLC  
Address: 15967 State Route 58, Oberlin, Ohio 44074

▪ Parcel Number: 1400037000001

Owner: Dovin Land Co. LLC

Address: 15967 State Route 58, Oberlin, Ohio 44074