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## ORDINANCE NO. 07-55 AC CMS

**AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 70.6058 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNERS, DARL L. HENDRICKS AND DORIS HENDRICKS**

**WHEREAS, a petition for the annexation of certain territory containing approximately 70.6058 acres of land within Pittsfield Township was duly filed by the property owners, Darl L. Hendricks and Doris Hendricks; and**

**WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on March 15, 2007; 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 County 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 April 12, 2007; 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 owners, Darl L. Hendricks and Doris Hendricks, for the annexation of the territory described in Exhibit A attached hereto and incorporated herein by reference in the County of Lorain and 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 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**

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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.

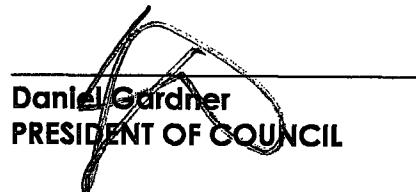
**SECTION 5.** That this ordinance shall take effect at the earliest date allowed by law.

**PASSED:**      1<sup>st</sup> Reading – June 18, 2007 ( Effective in 30 days )  
                    2<sup>nd</sup> Reading –  
                    3<sup>rd</sup> Reading –

**ATTEST:**



Belinda Anderson  
CLERK OF COUNCIL



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Daniel Gardner  
PRESIDENT OF COUNCIL

**POSTED:** 6/19/2007

**EFFECTIVE DATE:** 7/19/2007

a:/ORD07-54 Annexation.Hendricks.

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## Exhibit A

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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 Township Lot 26, and being further bounded and described as follows:

Beginning at the northeast corner of Original Pittsfield Township Lot No. 26;

Thence South  $00^{\circ}-47'-41''$  West, a distance of 495.84 feet along the easterly line of Original Pittsfield Township Lot 26 to the southeasterly corner of land conveyed to Mohrman Family Partnership by deed recorded in Document No. 20040019890, date 8/04/2004, of Lorain County Recorder Records to a point as said point being the principle place of beginning of the parcel of the land herein described;

Thence South  $00^{\circ}-47'-41''$  West a distance of 919.14 feet and continuing along the easterly line of said lot to a point therein;

Thence South  $82^{\circ}-52'-40''$  West a distance of 378.60 feet and passing through an iron pin set 55.48 feet distant within the westerly line of Ashland-Oberlin Road ( S. R. 58) (R/W varies) to an iron pin set;

Thence South  $00^{\circ}-47'-41''$  West, a distance of 250.00 feet to an iron pin set on the southerly line of said original Lot No.26

Thence North  $89^{\circ}-35'-56''$  West, a distance of 1711.54 feet along said southerly line of said Original Lot No. 26 to a 1" iron pipe found at an angle point therein;

Thence North  $89^{\circ}-26'-56''$  West, a distance of 533.30 feet along said southerly line of said Original Lot No. 26 to a 1" iron pipe found at the South west corner thereof;

Thence North  $00^{\circ}-05'-17''$  East, a distance of 1198.70 feet along the westerly line of said Original Lot No 26 to a 1" iron pipe found at the southwest corner of land conveyed to Gerhart Associates by deed recorded in Document No. 20010768824, date 08/02/2001, of Lorain County Recorder Records;

Thence North  $89^{\circ}-55'-47''$  East, a distance of 778.89 feet to a 1" iron pipe found at the southwest corner of land conveyed to Land Concepts Company, Inc. by deed recorded in Vol. 209, Page 59, date 09/24/1989, of Lorain County Recorder Records;

Thence North  $89^{\circ}-59'-50''$  East, a distance of 975.31 feet along said land so conveyed to Land Concepts Company Inc. to an iron pin set at the southerly corner thereof;

Thence South  $89^{\circ}-56'-44''$  East, a distance of 880.63 feet and passing through a  $5/8''$  iron pin set 829.62 feet distant within the westerly line of Ashland-Oberlin Road (S.R. 58) (R/W varies) to a

## Exhibit A

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point, said point being the principal place of beginning of the parcel of the land herein described, and containing 70.6058 acres of land, according to a survey by Eric J. Nelson, P.S. #7348 in February of 2006, being the same more or less, but subject to all legal highways;

The bearings referred to in this description are based on an assumed meridian and are used to denote angles only. The basis of bearings for the description is based upon (North 89°-58'-16" East) along the southerly line of Original Pittsfield Township Lot No.14 as shown on an ALTA/ACSM land title survey prepared by KS Associates in March of 2004.

All iron pins referred to as being set are 5/8 inch diameter x 30 inch length steel rebar with plastic cup with the name Nelson #7348 stamped on top.

The above description describes a parcel of land now or formerly owned by Darl L. Hendricks and Doris Hendricks as recorded in O.R. Volume 1406, page 530, date 09/25/1986, of the Lorain County Records Records.