

CITY OF OBERLIN, OHIO
ORDINANCE No. 21-16 AC CMS

2021 MAY -8 A 0:57

AN ORDINANCE STATING THE SERVICES THAT THE CITY OF OBERLIN WILL PROVIDE UPON THE ANNEXATION OF 1.087 ACRES OF LAND LOCATED ON STATE ROUTE 58 SOUTH FROM NEW RUSSIA TOWNSHIP TO THE CITY OF OBERLIN PURSUANT TO SECTION 709.03(D) OF THE OHIO REVISED CODE AS AN EMERGENCY MEASURE

WHEREAS, Brandon G. Oliver, Esq., as Agent for the owners, has petitioned the Board of Commissioners of Lorain County, Ohio to annex to the City of Oberlin certain real property having an address located on State Route 58 South being a 0.87 acre parcel within New Russia Township and a 1.000 acre parcel 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 has set May 18, 2021 at 10:00 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 owners' 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) provides 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 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 April 27, 2021.

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.

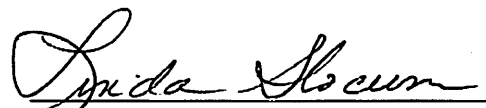
SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: "to submit to the Board 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 provided by law," and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: 04/05/2021
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



LINDA SLOCUM
PRESIDENT OF COUNCIL

POSTED: 04/06/2021

EFFECTIVE DATE: 04/05/2021

EXHIBIT A

Situated in New Russia Township, County of Lorain, State of Ohio, and known as being part of Original Russia Township Lot Numbers 105 and 106, also being known as a portion of land originally conveyed in a deed to Karen M. Fridenstine and Kristen E. McDonough, trustees of the Edith M. Ward Irrevocable Trust as recorded in instrument number 2012-0404422 of the Lorain County Records, and more particularly described as follows:

Beginning at a 1 inch iron pin in a monument box found at the intersection of the current centerline of State Route 58 (Variable Width) and the centerline of Reserve Avenue (60' Wide);

Thence North 12 degrees 11' 47" West, along the current centerline of said State Route 58, a distance of 166.07 feet to a point on the southerly line of said Original Russia Township Lot Number 106;

Thence South 89 degrees 48' 32" West, along the southerly line of said Original Russia Township Lot Number 106, a distance of 2.08 feet to a point on the old centerline of said State Route 58 and the Principal Place of Beginning of land herein described;

1. Thence continuing South 89 degrees 48' 32" West, continuing along the southerly line of said Original Russia Township Lot Numbers 106 and 105, passing through a 5/8 inch iron rebar with cap stamped "Rafter A LTD Line Pin" set at a distance of 52.14 feet, an overall distance of 363.11 feet to a 5/8 inch iron pin with cap stamped "Rafter A LTD Corner Pin" set;
2. Thence North 00 degrees 21' 28" East, a distance of 126.40 feet to a 5/8 inch iron rebar with cap stamped "Rafter A LTD Corner Pin" set;
3. Thence South 89 degrees 38' 32" East, along the southerly line of a parcel of land conveyed in a deed to The Road to Hope, Inc. as recorded in Instrument Number 2017-0636486 of the Lorain County Records, passing through a 1/2 inch iron pipe found at a distance of 283.46 feet, an overall distance 335.41 feet to a point in the old centerline of said State Route 58;
4. Thence South 12 degrees 20' 04" East, along the old centerline of said State Route 58, a distance of 126.00 feet to a point at the Principal Place of Beginning.

The land described contains 1.0000 acre of land, of which 0.7092 of an acre is in Original Russia Township Lot Number 105 and 0.2908 of an acre is in Original Russia Township Lot Number 106 all of which is subject to all legal roads, restrictions and easements of record. The basis of bearing is derived from a portion of the centerline of State Route 58 which was assumed to be South 01 degrees 09' 19" West. This legal description is based upon an actual field survey and measurements performed by Rafter A, LTD in August of 2020.

Commonly known as: ST. RT. 58, Oberlin, Ohio 44074

Permanent Parcel No.: 09-00-105-000-021

Situated in the Township of New Russia, County of Lorain and State of Ohio, and known as being part of Original Russia Township Lots Nos. 105 and 106 and bounded and described as follows:

Beginning in the centerline of State Route 58 at its intersection with the Southerly line of Russia Township;

Thence in the centerline of State Route 58, North 12 deg. 19 minutes 52 seconds West, a distance of 125.66 feet to the principal place of beginning of the lands herein described;

Thence North 89 deg. 38 inches 39 seconds West, passing through and iron pin set 51.83 feet from said centerline, a distance of 302.91 feet to an iron pin set;

Thence North 0 deg. 21 minnets 21 seconds East, a distance of 131.65 feet to a point, passing through an iron pin set 0.20 feet Southerly therefrom;

Thence South 89 deg. 38 inches 39 seconds East, a distance of 273.26 feet to the centerline of State Route 58, passing through an iron pin set 49.28 feet Westerly therefrom;

Thence in said centerline, South 12 deg. 19 minutes 52 seconds East, a distance of 134.94 feet to the principle place of beginning of lands herein described. Containing within said bounds 0.87 of an acre of land, be the same more or less, but subject to all legal highways.

Tax ID No.: 0900105000016

Commonly known as: 14462 ST. RT. 58, Oberlin, Ohio 44074

Permanent Parcel No.: 09-00-105-000-016



RECORDED
LORAIN COUNTY
COMMISSIONERS
2021 APR -8 A 8:57
MAYOR SAALBUPTON
CLERK

CERTIFIED COPY

I Belinda B. Anderson, the duly appointed, qualified and acting Clerk, for said City of Oberlin of Lorain County, Ohio, do hereby certify that attached is a true and correct copy of **Ordinance No. 21-16 AC CMS**, along with its exhibit (a description of the property), as adopted by Oberlin City Council on **April 5, 2021**.

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Witness my hand and Official Seal at Oberlin, Ohio this 5th day of April 2021.

(Seal)


Clerk of Oberlin City Council