

CITY OF OBERLIN, OHIO

ORDINANCE No. 24-67 AC CMS

AN ORDINANCE STATING THE SERVICES THAT THE CITY OF OBERLIN WILL PROVIDE UPON THE ANNEXATION OF 2.2561 ACRES MORE OR LESS LOCATED IN NEW RUSSIA TOWNSHIP UPON THE PETITION OF KENDAL AT OBERLIN AS REQUIRED UNDER SECTION 709.03(D) OF THE OHIO REVISED CODE TO GO INTO IMMEDIATE EFFECT

WHEREAS, Joshua Lamb, as Agent for the Kendal at Oberlin, has petitioned the Board of Commissioners of Lorain County, Ohio, to annex to the City of Oberlin certain real property being 2.2561 acres more or less located in New Russia Township, Ohio (“Territory”) as more fully described in the petition attached as Exhibit "A," (Petition”) and,

WHEREAS, said Petition was filed with the Board of Commissioners of Lorain County on June 24, 2024; and

WHEREAS, the Board of Commissioners of Lorain County has scheduled a hearing on the Petition for December 17, 2024; and

WHEREAS, Ohio Revised Code Section 709.03(D) provides that at least twenty (20) days before the date of the hearing on the Petition, 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 :

SECTION 1: That upon the annexation of the Territory pursuant to the 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 November 27, 2024.

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: 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 provided that at least five (5) members of the Council determine by motion, this Ordinance shall go into full force and effect immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading :November 18, 2024

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



EBONI A. JOHNSON
PRESIDENT OF COUNCIL

POSTED: 11/19/2024

EFFECTIVE DATE: 11/18/2024

Exhibit A

2025-007 PM 2:00

**PETITION FOR REGULAR ANNEXATION OF LAND TO THE CITY OF
OBERLIN FROM NEW RUSSIA TOWNSHIP**

To: Board of Commissioners of Lorain County, Ohio
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being the sole legal owner of the properties described in Exhibit A attached hereto and further known as being Lorain County Permanent Parcel Nos. 09-00-066-000-015, 09-00-066-000-016 and 09-00-066-000-017, which are contiguous and adjacent to the City of Oberlin and consisting of 2.2561 acres, hereby petitions the Board of Commissioners for Lorain County for the regular annexation of the properties to the City of Oberlin, Ohio from New Russia Township, Ohio.

An accurate legal description of the perimeter of the properties to be annexed to the City of Oberlin is attached hereto as Exhibit A and is made a part hereof. An accurate map of the properties sought to be annexed is set forth in Exhibit B, which is attached hereto and made a part hereof.

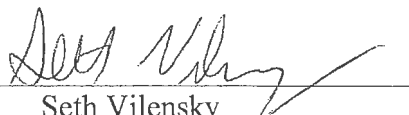
Pursuant to O.R.C. §709.02(D), the list of the properties to be annexed to the City of Oberlin are set forth in Exhibit C, which is attached hereto and made a part hereof. The undersigned is the sole owner of the properties sought to be annexed. All the owners of the properties subject to this petition for annexation have consented to this petition and have executed the same.

Pursuant to O.R.C. §709.02(D), a list of all properties adjacent to and/or directly across the street from the properties sought to be annexed are contained in Exhibit C hereto (including but not limited to the name and mailing address of each owner and the permanent parcel number of the relevant properties).

The name of the person hereby appointed to act as agent for the undersigned petitioner is Joshua E. Lamb, Trigilio, Stephenson & Dattilo, PLL., 5750 Cooper Foster Park Road, Suite 102, Lorain, Ohio 44053, Telephone No. (440) 988-9500, Fax No. (440) 988-9511, who can be emailed at jlamb@tsohiolaw.com.

Date: 10/2/24

Kendal at Oberlin

By: 
Seth Vilensky
Its: Chief Executive Officer

THOMAS SIMON & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

150 SOUTH OLIVE STREET
ELYRIA, OHIO 44035
(440) 327-2925
Tasimon@windstream.net

2024 AUG 14 PM 2:00

EXHIBIT "A"

August 14, 2024
Job No. 2024-073

Boundary Description
of Area to be Annexed
2.2561 Acres

Situated in the County of Lorain, in the State of Ohio and being known as part of New Russia Township Original Lot No. 66, and being further bounded and described as follows:

Beginning at the intersection of the centerlines of North Pleasant Street and Maple Street (49.50 feet wide);

Thence, North 89 degrees 52'27" West a distance of 67.38 feet along the centerline of Maple Street, to a point thereon being the Principal Place of Beginning;

Thence continuing North 89 degrees 52'27" West a distance of 199.83 feet along the centerline of said Maple Street, to a point thereon;

Thence, North 05 degrees 54'13" West passing through an iron pipe found set at 25.23 feet, a distance of 427.23 feet along the Easterly line of land conveyed to Marva L. Hill and Audrey Y. Kolb by deed recorded in document no. 20150563146 of Lorain County Recorder's Records on October 16, 2015; and the Northerly prolongation thereof, to an iron pin found set at a corner of land conveyed to Jerome Zbydnowski, Trustee by deed recorded in document no. 20070211817 of Lorain County Recorder's Records on July 5, 2007, and being a point on the Southerly line of land conveyed to Kendal at Oberlin by deed recorded in document no. 20070227481 of Lorain County Recorder's Records on October 22, 2007;

Thence, North 89 degrees 32'04" East a distance of 301.00 feet along the Southerly line of said land conveyed to Kendal at Oberlin, to an iron pipe found set at the Southeasterly corner thereof, being a point on the Westerly line of said land conveyed to Kendal at Oberlin, by deed recorded in Official Record Volume 562 Page 601 of Lorain County Recorder's Records on July 1, 1992;

THOMAS SIMON & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

150 SOUTH OLIVE STREET
ELYRIA, OHIO 44035
(440) 327-2925
Tasimon@windstream.net

2024 08 14 09:28:09

August 14, 2024
Job No. 2024-073

Boundary Description
of Area to be Annexed
2.2561 Acres

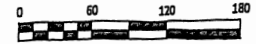
Thence, South 01 degrees 21'34" East a distance of 72.93 feet along the Westerly line of said land conveyed to Kendal at Oberlin, to a corner thereof;

Thence, South 89 degrees 32'04" West a distance of 61.81 feet along the Northerly line of said land conveyed to Kendal at Oberlin, to a corner thereof;

Thence, South 00 degrees 27'45" East a distance of 354.45 feet along the Westerly line of said land conveyed to Kendal at Oberlin, by deed recorded in Official Record Volume 562 Page 601 of Lorain County Recorder's Records on July 1, 1992, to the Principal Place of Beginning, and containing 2.2561 Acres of which 0.1142 acres lies within the Right-of-Way of Maple Street, as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in November, 2006, August, 2007 and July/August, 2024. Basis of bearings is the centerline of Maple Street (North 89 degrees 52'27" West).



PARCELS SHOWN AND DESIGNATED AS "AREA OF PROPOSED ANNEXATION" ARE BASED ON A BOUNDARY SURVEY PERFORMED- NOVEMBER, 2006 TO AUGUST, 2007 AND JULY/AUGUST 2024. AND DEEDS OF RECORD



OBERLIN NORTH ROAD (S.R. 58, 66' WIDE)

CITY OF OBERLIN
NEW RUSSIA TWP.

CITY OF OBERLIN

NEW RUSSIA TWP.

CITY OF OBERLIN

NEW RUSSIA TWP.

NEW RUSSIA TWP.

CITY OF OBERLIN

N. PLEASANT ST.

09-00-066-000-054
KENDAL AT OBERLIN
DOC. #20070227481
10/22/07

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-020
KENDAL AT OBERLIN
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-021
KENDAL AT OBERLIN, INC.
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-018
KENDAL AT OBERLIN, INC.
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

PLAT OF PROPOSED
ANNEXATION TO
THE CITY OF OBERLIN
FOR
KENDAL AT OBERLIN

BEING KNOWN AS PART OF
NEW RUSSIA TOWNSHIP
ORIGINAL LOT NO: 66

COUNTY OF LORAIN
STATE OF OHIO

AUGUST, 2024 SCALE: 1" = 60'

09-00-066-000-049
JEROME ZBYDONOWSKI, TR.
DOC. #20070211817
7/5/07

PROPERTY ADDRESS
12569 ST. RTE. 58
OBERLIN, OHIO 44074

TAX MAILING ADDRESS
1475 SHERBORNE LN.
POEWLL, OHIO 43065

09-00-066-000-059
MARVA L. HILL- AUDREY Y. KOLB
DOC. #20150563146
10/16/15

PROPERTY/TAX MAILING ADDRESS
12573 ST. RTE. 58
OBERLIN, OHIO 44074

AREA OF
PROPOSED
ANNEXATION
2.2561 ACS.

0.1142 ACS. IN R/W

09-00-066-000-016
KENDAL AT OBERLIN
DOC. #20170636072
7/10/17

09-00-076-101-061
KENDAL AT OBERLIN
DOC. #20040041161
PARCEL NO. 2 11/23/04

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

I. PIN
FD. & USED
(SET PREV. SURVEY)

I. PIN
SET
(PREV. SURVEY)

I. PIN FD.
W/CAP "VECTOR"

I. PIPE FD.

I. PIPE FD.
& USED
24.75' C/L

I. PIPE FD.
USED E-W
25.25' C/L

I. PIN FD.
W/CAP "KELSER"
FD. & USED

O.L. 66

O.L. 76

S 89°52'22"W 695.55'

N 89°52'27"W 199.83'

67.38'



THOMAS SIMON & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

150 SOUTH OLIVE STREET
CEDAR RAPIDS, OHIO 44823
(614) 323-2923
TSIMON@WINGSSTREAM.NET

EXHIBIT "B"

**INFORMATION RELATING TO OWNERS OF REAL PROPERTY
SOUGHT TO BE ANNEXED**

Owners' Name and Address	Permanent Parcel Number	Approximate Acreage of Each Parcel to be Annexed
Kendal at Oberlin 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-016	1.1865
Kendal at Oberlin 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-015	0.5705
Kendal at Oberlin 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-017	0.4991

**LIST OF OWNERS OF PROPERTY ADJACENT TO AND DIRECTLY
ACROSS THE STREET**

Owner's Name and Mailing Address	Permanent Parcel Number
Jerome Zbydnowski, Successor Trustee of the Irene Zbydniowski Intervivos Trust 12569 State Route 58 Oberlin, Ohio 44074 and 1475 Sherborne Lane Powell, Ohio 43065	09-00-066-000-049
Marva L. Hill & Audrey Y. Kolb 12573 State Route 58 Oberlin, Ohio 44074	09-00-066-000-059
Kendal at Oberlin 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-054
Kendal at Oberlin Inc 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-020
Kendal at Oberlin Inc 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-021
Kendal at Oberlin Inc 600 Kendal Drive Oberlin, Ohio 44074	09-00-066-000-018
Kendal at Oberlin 600 Kendal Drive Oberlin, Ohio 44074	09-00-076-101-061

PARCELS SHOWN AND DESIGNATED AS "AREA OF PROPOSED ANNEXATION" ARE BASED ON A BOUNDARY SURVEY PERFORMED- NOVEMBER, 2006 TO AUGUST, 2007 AND JULY/AUGUST 2024, AND DEEDS OF RECORD



OBERLIN NORTH ROAD (S.R. 58, 66' WIDE)

CITY OF OBERLIN
NEW RUSSIA TWP.

CITY OF OBERLIN

NEW RUSSIA TWP.

AREA OF PROPOSED ANNEXATION
2.2561 ACS.
0.1142 ACS. IN R/W

NEW RUSSIA TWP.

CITY OF OBERLIN

NEW RUSSIA TWP.

CITY OF OBERLIN

N. PLEASANT ST.

09-00-066-000-049
JEROME ZBYDROWSKI, TR.
DOC. #20070211817
7/5/07

PROPERTY ADDRESS
12569 ST. RTE. 58
OBERLIN, OHIO 44074

TAX MAILING ADDRESS
1475 SHERBORNE LN.
POEWLL, OHIO 43065

09-00-066-000-059
MARVA L. HILL- AUDREY Y. KOLB
DOC. #20150563146
10/16/15

PROPERTY/TAX MAILING ADDRESS
12573 ST. RTE. 58
OBERLIN, OHIO 44074

09-00-066-000-054
KENDAL AT OBERLIN
DOC. #20070227481
10/22/07

TAX MAILING ADDRESS
600 KENDAL DRIVE
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09-00-066-000-020
KENDAL AT OBERLIN
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-021
KENDAL AT OBERLIN, INC.
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-018
KENDAL AT OBERLIN, INC.
ORV 562 PG 601 7/1/92

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

09-00-066-000-015
KENDAL AT OBERLIN
DOC. #20170636072
7/10/17

09-00-076-101-061
KENDAL AT OBERLIN
DOC. #20040041161
PARCEL NO. 2 11/23/04

TAX MAILING ADDRESS
600 KENDAL DRIVE
OBERLIN, OHIO 44074

I. PIPE FD. & USED
24.75' C/L

I. PIN FD. C/CAP "VECTOR"

I. PIN FD. & USED (SET PREV. SURVEY)

I. PIN SET (PREV. SURVEY)

I. PIPE FD. & USED

I. PIPE FD. W/CAP "KELSER" FD. & USED

I. PIPE FD.

I. PIPE FD. USED E-W
25.23' C/L

31.60'

O.L. 66

O.L. 76

S 89°52'27"E 695.95'

N 89°52'27"W 199.83'

67.38'

24.75'

I. PIPE FD. & USED

O

S 89°32'04"W 311.43'
N 89°32'04"E 301.00'

09-00-066-000-015
KENDAL AT OBERLIN
DOC. #20170636072 7/10/17

61.81'

S 89°32'04"W

S 01°21'34"E 72.93'

N 05°54'33"W 427.23'

S 00°27'45"E 354.45'



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PLAT OF PROPOSED ANNEXATION TO THE CITY OF OBERLIN FOR KENDAL AT OBERLIN BEING KNOWN AS PART OF NEW RUSSIA TOWNSHIP ORIGINAL LOT NO. 66 COUNTY OF LORAIN STATE OF OHIO

AUGUST, 2024 SCALE: 1" = 60'