

ORDINANCE NO. 07-54 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 4.67 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNERS, ELIZABETH J. BURGESS AND JOHN A. MACHNAUER

WHEREAS, a petition for the annexation of certain territory containing approximately 4.67 acres of land within Pittsfield Township was duly filed by the property owners, Elizabeth J. Burgess and John A. Machnauer; and

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on February 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 6, 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, Elizabeth J. Burgess and John A. Machnauer, 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

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: 1st Reading – June 18, 2007(Effective In 30 days)
 2nd Reading –
 3rd Reading –

ATTEST:



Belinda Anderson
CLERK OF COUNCIL



Daniel Gardner
PRESIDENT OF COUNCIL

POSTED: 6/19/2007

EFFECTIVE DATE: 7/19/2007

α:/ORD07-54 Annexation.Burgess.

Exhibit A

Situated in the Township of Pittsfield, County of Lorain and State of Ohio:

And known as being part of Original Pittsfield Township Lot No. 15, and bounded and described as follows:

Beginning on the center line of the Ashland-Oberlin Road (S.R. 58) at the northeasterly corner of said Original Lot No. 15 ;

Thence $N89^{\circ}55'55''W$ along the north line of Original Lot 15 a distance of about 55 feet to a point on the western right of way (ROW) line of the Ashland – Oberlin Road (S.R. 58) and the principal place of beginning;

Thence $N89^{\circ}55'55''W$ along the north line of Original Lot 15 and the south line of the lands conveyed by deed to Johanna Gott Trustee as recorded in Lorain County Records instrument number 20010756363 a distance of 732.41 feet to a point and the northeast corner of the lands conveyed by deed to Carol Varner as recorded in Lorain County Records O.R. 1044 P.265 ;

Thence $S0^{\circ}57'55''W$ along the east line of the lands conveyed to Carol Varner aforementioned a distance of 276.50 feet to a point on the north property line of the lands conveyed by deed to David P. Ransom as recorded in Lorain County Records O.R. 1257 P.632 ;

Thence $S89^{\circ}55'55''E$ and parallel to the north line of Original Lot 15 and along the north line of the lands conveyed to David P. Ransom aforementioned a distance of 737.74 feet to a point on the west ROW line of the Ashland – Oberlin Road (S.R. 58);

Thence $N0^{\circ}04'15''W$ along the west ROW line of the Ashland –Oberlin Road (S.R.58) a distance of 277.46 feet to a point and the principal place of beginning containing about 4.67 acres of land be the same more or less but subject to all legal highways.