

ORDINANCE NO. 1832 AC CMS

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 53.5795 ACRES
OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF OWNER
C. M. AND M. DEVELOPMENT, INC.

WHEREAS, a petition for the annexation of certain territory containing approximately 53.5795 acres of land within Russia Township was duly filed by owner C. M. and M. Development, Inc.; and,

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on September 20, 1984; 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 October 5, 1984; 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 there-to concurring:

SECTION 1. That the application of C. M. and M. Development, Inc. for the annexation of the following described territory in the County of Lorain and adjacent to the City of Oberlin, to-wit:

Situated in the Township of Russia, County of Lorain, and State of Ohio and being a part of Original Lot 78 of said Township, bounded and described as follows:

Beginning at an iron pin found in a monument box in the centerline of East Lorain Street (State Route 10) at its intersection with the centerline of Oberlin Road; said point also being the southwesterly corner of Original Lot 78.

Thence in the centerline of Oberlin Road, North $0^{\circ}38'30''$ West a distance of 200.03 feet to a point in the Northerly corporation line of the City of Oberlin and the principal place of beginning of lands herein described.

Thence continuing in said centerline, North $0^{\circ}38'30''$ West a distance of 1075.99 feet to a point in the Southwesterly corner of land conveyed to James Kennedy and Ivie Kennedy by deed dated May 19, 1977 and recorded in Deed Volume 1175, Page 262 of the Lorain County Record of Deeds.

Thence in a Southerly line of said Kennedy' lands, South $87^{\circ}34'30''$ East, passing through an iron pin found 30.12 feet from said center-line a distance of 192.72 feet to a point at the Southeasterly corner thereof, passing through an iron pin found 7.36 feet West-erly therefrom.

Thence in the Easterly line of lands, North $3^{\circ}33'32''$ West, a distance of 234.30 feet to an iron pin set at the Northeasterly corner thereof.

Thence in the Northerly line of said Kennedy' lands, North $87^{\circ}03'59''$ West, a distance of 124.08 feet to an iron pin set in the South-easterly line of the Conrail Road.

Thence in said line, North $35^{\circ}23'00''$ East, a distance of 719.93 feet to an iron pin found at the Southwesterly corner of land conveyed to the B. C. Land Company by deed dated December 20, 1973 and recorded in Deed Volume 1093, Page 509 of the Lorain County Record of Deeds.

Thence in the Southerly line of said B. C. Land Company's land, North $88^{\circ}39'00''$ East, a distance of 859.47 feet to an iron pin set in the westerly line of said B. C. Land Company's land as afore-said.

Thence in the Westerly line of said B. C. Land Company and the West-erly line of land conveyed to Dayton E. Livingston and Ann Livings-ton by Torrens Deed dated April 20, 1981 and recorded in Deed Vol-ume 30, Page 252 of the Lorain County Record of Torrens' Lands, South $1^{\circ}05'40''$ East a distance of 1876.30 feet to a point in the Northerly corporation line of the City of Oberlin.

Thence in said line South $88^{\circ}20'26''$ West, parallel to and 200.00 feet Northerly from, by rectangular measurement, to the center-line of East Lorain Street, a distance of 1354.54 feet to the prin-cipal place of beginning of land herein described.

Containing within said bounds 53.5795 Acres of Land.

Surveyed by Laudon, Simon, Cahl & Associates, Inc., in January, 1984.

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 said City, be and the same is hereby accepted.

SECTION 2. That said territory so annexed is hereby zoned "R-1A", single-family dwelling district, pursuant to Section 1329.03 of the Codi-fied Ordinances of the City of Oberlin, and is hereby subject to all con-ditions stipulated under such district and all other regulations and

restrictions of the City of Oberlin now or hereinafter promulgated.

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 Julian A. Pijor, Lorain County Auditor, one copy to Dorothy Essex, Lorain County Recorder, and one copy to Sherrod Brown, 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 the 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 - December 17, 1984
2nd Reading - January 7, 1985
3rd Reading - January 22, 1985 - TABLED; February 4, 1985 (EMERGENCY)

ATTEST:


Clerk of Council


Chairman of Council

POSTED: February 5, 1985

CERTIFICATE OF FILING

State of Ohio }
Lorain County } SS

I, JULIAN A. PLJOR, the duly elected, qualified and acting Auditor in and for the
County and State aforesaid, do hereby certify that Julie A. Simonson

the duly elected, qualified and acting Clerk of Council
in and for said City of Oberlin, Ohio County of Lorain, Ohio,
and ex-officio Fiscal Officer for said District, has this day officially filed in the office of
the Auditor of Lorain County a certified copy of ORDINANCE NO. 1832 AC OMS

providing for an ordinance accepting the annexation of approx. 53.5795 acres of
real estate to the City of Oberlin upon application of :
in the sum of
Owner - C.M. and M. Development, Inc.

Filed: October 5, 1984 - Agent, Fred C. Jones

WITNESS my hand and Official Seal at Elyria, Ohio this 19th day of February 1985.


County Auditor in and for
Lorain County, Ohio

(SEAL)