

ORDINANCE NO. 88-40 AC CMS

AN ORDINANCE INDICATING WHAT SERVICES THE CITY OF OBERLIN
WILL PROVIDE TO CERTAIN REAL PROPERTY PROPOSED TO BE ANNEXED TO
THE CITY OF OBERLIN PURSUANT TO SECTION 709.031 OF THE OHIO REVISED CODE
AND DECLARING AN EMERGENCY

WHEREAS, Doyle J. Jones and Gail A. Jones on April 22, 1988, filed a petition to annex approximately 2.760 acres of property located in Russia Township to the City of Oberlin, and

WHEREAS, said Petition for Annexation is presently pending before the Board of Commissioners of Lorain County, Ohio, and

WHEREAS, Section 709.031 of the Ohio Revised Code requires that the City of Oberlin adopt a statement indicating what services, if any, the City will provide to the territory proposed for annexation, upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City of Oberlin, Ohio, will provide to the real property set forth in Exhibit A attached hereto, upon completion of annexation proceedings and acceptance by the City, all municipal services presently being provided to the residents of the City of Oberlin, Ohio, such including, but not limited to, electric, water, sewer and garbage service, subject, however, to all municipal ordinances and regulations applicable thereto, and further subject to any restrictions due to plant or line capacity or extension cost.

SECTION 2. 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 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to-wit:

"to ensure the adoption of the statement required by Section 709.031(B) of the Ohio Revised Code prior to the annexation hearing to be held before the Board of Lorain County Commissioners"

and shall take effect immediately upon passage.

PASSED: 1st Reading- June 6, 1988
2nd Reading-
3rd Reading-

ATTEST:

Julia A. Simonson
Clerk of Council

Robin Z. Zindera
Chairman of Council

POSTED: June 8, 1988

Effective Date: June 6, 1988

Situated in the State of Ohio, County of Lorain, Township of Russia (T - 5, R - 18), being part of Original Russia Township Lot 105, also being part of a parcel of land, now or formerly in the name of D. J. and G. A. Jones, as recorded in Deed Volume 1020, Page 938 of the Lorain County Records of Deeds, and more fully described as follows:

Commencing for Reference at the northeast corner of said Lot 105, said corner being the centerline intersection of Oberlin-Ashland Road (S.R. 58) and Hamilton Street;

Thence, North 89 degrees 30 minutes 17 seconds West, along the centerline of Hamilton Street, a distance of 80.01 feet to the True Place of Beginning of the parcel to be annexed;

Thence, South 01 degree 17 minutes 00 seconds West, along the westerly line of a perpetual easement to the State of Ohio as recorded in Deed Volume 986, Page 201, a distance of 30.00 feet to a point on the southerly right-of-way line of Hamilton Street;

Thence, South 41 degrees 03 minutes 45 seconds East along a westerly line of said perpetual easement, a distance of 44.54 feet to a point;

Thence, South 01 degree 17 minutes 00 seconds West along a westerly line of said perpetual easement, a distance of 293.98 feet to a point on the southerly line of said Jones parcel;

Thence, North 88 degrees 43 minutes 00 seconds West along said southerly line and the existing corporation line of the City of Oberlin, a distance of 340.21 feet to a point;

Thence, North 00 degrees 30 minutes 00 seconds East along the westerly line of said Jones Parcel and the existing corporation line of the City of Oberlin, a distance of 352.60 feet to the centerline of Hamilton Street;

Thence, South 89 degrees 30 minutes 17 seconds East along said centerline of Hamilton Street, a distance of 315.06 feet to the place of beginning.

Said parcel to be annexed contains 2.760 acres of land, more or less, as prepared by Robert A. Dorner, R.L.S. No. 6943 of Campbell and Associates Inc. in April of 1988.