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ORDINANCE NO. 95-125 AC CMS

**AN ORDINANCE REZONING APPROXIMATELY
1.0503 ACRES OF REAL PROPERTY LOCATED ON THE
NORTHWEST CORNER OF U.S. ROUTE 20 AND STATE ROUTE 58 FROM
R-1A RESIDENTIAL TO C-1 COMMERCIAL**

WHEREAS, a Petition to Rezone approximately 1.0503 acres of real property located within the City of Oberlin was presented to this Council; and,

WHEREAS, the Oberlin Planning Commission has considered said Petition and request and has reported back to this Council; and,

WHEREAS, this Council has held a public hearing concerning said Petition and has given notice of same pursuant to law.

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 following real property located at the northwest corner of U.S. Route 20 and State Route 58 Oberlin, Ohio, is hereby rezoned from R-1A Residential to C-1 Commercial use:

Situated in the Township of Pittsfield, County of Lorain and State of Ohio and being a part of Original Lot No. 15 of said township, bounded and described as follows:

Beginning at a point in the centerline of Ashland-Oberlin Road (State Route 58) as established by the Ohio Department of Transportation and recorded in Plat Volume 25, Page 47 of the Lorain County Record of Plats at its intersection with the Southerly line of Original Lot No. 16; said line also being the centerline of Kipton Nickle-Plate Road.

Thence in the centerline of Kipton Nickle-Plate Road and the Southerly line of Original Lot No. 16, South 89 degrees, 56 feet 02 inches West, a distance of 4.15 feet to a point at the Southeasterly corner of Original Lot No. 15; said point being 86.90 feet by radial measurement, from U.S. Route 20 Centerline Station 249+1264.

Thence continuing in the Southerly line of Original Lot No. 15, South 89 degrees, 56 feet 02 inches West, a distance of 209.97 feet to a point.

Thence North 1 degree 02 feet 17 inches East, a parallel to the Easterly line of Original Lot No. 15, a distance of 144.83 feet to a point in the Northerly Right-of-Way line of U.S. Route 20 and the Southerly line of the City of Oberlin; said point being the principal place of beginning of land herein described.

Thence continuing North 1 degree 02 feet 17 inches East, a distance of 300.00 feet to a point.

Thence North 89 degrees 20 feet 50 inches East, a distance of 160.00 feet to a point in the Westerly Right-of-Way line of State Route 58.

Thence in said line, South 1 degree 02 feet 17 inches West, a distance of 217.84 feet to a point of curve.

DESCRIPTION

Situated in the Township of Pittsfield, City of Oberlin, County of Lorain and State of Ohio and being a part of Original Lot No. 15 of said township, bounded and described as follows:

Beginning at a point in the centerline of Ashland-Oberlin Road (State Route 58) as established by the Ohio Department of Transportation and recorded in Plat Volume 25, Page 47 of the Lorain County Record of Plats at its intersection with the Southerly line of Original Lot No. 16; said line also being the centerline of Kipton Nickle-Plate Road.

Thence in the centerline of Kipton Nickle-Plate Road and the Southerly line of Original Lot No. 16, South $89^{\circ} 56' 02''$ West, a distance of 4.15 feet to a point at the Southeasterly corner of Original Lot No. 15; said point being 86.90 feet by radial measurement, from U. S. Route 20 Centerline Station 249+1264.

Thence continuing in the Southerly line of Original Lot No. 15, South $89^{\circ} 56' 02''$ West, a distance of 209.97 feet to a point.

Thence North $1^{\circ} 02' 17''$ East, parallel to the Easterly line of Original Lot No. 15, a distance of 144.83 feet to a point in the Northerly Right-of-Way line of U. S. Route 20 and the Southerly line of the City of Oberlin; said point being the principal place of beginning of land herein described.

Thence continuing North $1^{\circ} 02' 17''$ East, a distance of 300.00 feet to a point.

* Thence North $89^{\circ} 20' 50''$ East, a distance of 160.00 feet to a point in the Westerly Right-of-Way line of State Route 58.

Thence in said line, South $1^{\circ} 02' 17''$ West, a distance of 217.84 feet to a point of curve.

Thence in a curve deflecting to the Right with a radius of 75.00 feet, a central angle of $82^{\circ} 27' 20''$, an arc distance of 107.93 feet, a chord which bears South $42^{\circ} 15' 37''$ West, a chord distance of 98.86 feet to a point of tangency in the Northerly line of U. S. Route 20 and the Southerly line of the City of Oberlin.

Thence in said line, South $83^{\circ} 29' 37''$ West, a distance of 95.60 feet to the principal place of beginning of land herein described.

Containing within said bounds 1.0503 Acres of land.

Thence in a curve deflecting to the Right with a radius of 75.00 feet, a central angle of 82 degrees 27 feet 20 inches an arc distance of 107.93 feet , a chord which bears South 42 degrees 15 feet 57 inches West, a chord distance of 98.86 feet to a point of tangency in the Northerly line of U.S. Route 20 and the Southerly line of the City of Oberlin.

Thence in said line, South 83 degrees 29 feet 37 inches West, a distance of 95.60 feet to the principal place of beginning of land herein described.

Containing within said bounds 1.0503 Acres of land.

SECTION 2. That the City Manager is hereby directed to mark the present zoning map of the City of Oberlin to show that said area has been rezoned, and is further directed to inform the Petitioners by certified mail of the decision of Council in this matter.

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 actions 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 shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - 12/18/95
2nd Reading - 1/2/96
3rd Reading - 1/16/96

ATTEST:

Karen Odell
CLERK OF COUNCIL

James M. Baumann
CHAIR OF COUNCIL

POSTED: 1/23/96

EFFECTIVE DATE: 2/16/96