

ORDINANCE NO. 97-23 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, on January 3, 1997, a petition was filed with the Board of Commissioners of Lorain County, Ohio, to annex approximately 0.69 acres of property located in New 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, as reflected in Exhibit B and Exhibit C attached hereto.

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 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 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 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.

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PASSED: 1st Reading: February 18, 1997 (E)  
2nd Reading:  
3rd Reading:

ATTEST:

Eugene F. Simon  
Clerk of Council

James M. Davenport  
Chair of Council

POSTED: February 19, 1997

EFFECTIVE DATE: February 19, 1997

EXHIBIT A

ANNEXATION

Edith M. Ward  
547 W. College Street  
Oberlin, OH 44074

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Situated in the Township of New Russia, County of Lorain, and State of Ohio. Being known as part of Original Russia Township Lot No. 105, and more definitely described as follows:

Beginning in the southerly corporation line of the City of Oberlin, as recorded in Volume 1082, Page 190 of Lorain County Deed Records at its intersection with the westerly sideline of Oberlin Ashland Road, State Route 58; said point being the southeasterly corner of land conveyed to Northern Ohio Telephone Company as recorded in Volume 1321, Page 680 of Lorain County Official Records;

Thence Southerly in the westerly sideline of Oberlin Ashland Road, a distance of 160.86 feet to a point in the northerly line of land conveyed to David R. and Mary E. Henderson as recorded in Volume 1103, Page 539 of Lorain County Deed Records;

Thence Westerly in the Henderson's northerly line, a distance of 158.75 feet to the northwesterly corner thereof;

Thence Northerly, a distance of 165.61 feet to a point in the southerly corporation line of the City of Oberlin, recorded as aforesaid; said point also being in the southerly line of land conveyed to Northern Ohio Telephone Company recorded as aforesaid;

Thence Easterly in the southerly corporation line of the City of Oberlin, a distance of 154.55 feet to the place of beginning;

Enclosing a parcel containing 0.59 acre and being part of a 55.08 acre parcel, but subject to all legal highways.

# City of *Oberlin*

85 South Main Street, Oberlin, Ohio 44074

Exhibit B

February 12, 1997

Eric Severs, City Solicitor  
BankOne Building  
Oberlin, OH 44074

RE: Annexation

Dear Solicitor Severs:

Regarding services which would be available to property along Rt. 58 south upon annexation, I would note the following:

- WATER** A 12" water line extends along Rt. 58 the full width of the property. The most recent flow test on this line showed static pressure of 60 p.s.i. and flow of 700 g.p.m.
- SEWER** A 12" sewer line extends along Rt. 58 the full width of the property. Design capacity for a 12' line is in excess 1.2 M.G.D.
- REFUSE** The City operates a full-service municipal refuse and recycling system. These services would be available to the property if annexed.
- POLICE** The maintains a full-time Police Department consisting of 16 full-time sworn officers, 2 part-time sworn officers, 3 full-time dispatchers, and 6 part-time dispatchers plus a Police Auxiliary. Road officers are on duty at all times and the station is located less than two miles from the property proposed for annexation.
- FIRE:** The City maintains a Class 5 Fire Department with staffing consisting of 4 full-time and 24 part-time employees. The Fire station is located less than one mile from the property proposed for annexation.

In addition, the City provides a full range of Planning, Zoning, Recreation, and Economic Development related services.

If you have any questions or if you need any additional information, please do not hesitate to contact me.

Sincerely,

  
Robert DiSpirito  
City Manager

Accounts Payable/Income Tax	775-7213	Finance/Utility Billing	775-7211 / 775-7212	Public Works Office	775-7217
Cemetery	775-7252	Fire Department	774-3211	Recreation Department	775-7254
City Manager	775-1531	Municipal Court	775-1751	Street Department	775-7270
Clerk of Council	775-7203	Municipal Light & Power	775-7260	Wastewater Department	775-7280
Code Administrator	775-1531	Planning Commission	775-7250	Water Department	775-7291
Community Services Department	775-7251	Police Department	774-1061	City Hall Fax	775-7208
Economic Development Office	775-7257	Prosecutor's Office	775-7298	Municipal Light & Power Fax	775-1546
				TDD.	775-7244

City of  
***Oberlin***  
85 South Main Street, Oberlin Ohio 44074

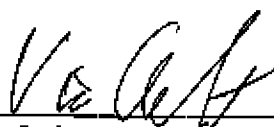
**EXHIBIT C**

DATE: February 13, 1997  
TO: Robert DiSpirito, City Manager  
FROM: Vic Oettinger, Interim OMLPS Director  
RE: **ANNEXATION**

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We do have distribution line on Route 58 going south up to JVS and we should be able to pick up the new load.

Depending on the requirements of the property, we will have to assess if our circuits will require any reinforcements.

  
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Vic Oettinger, Interim OMLPS Director

C:\WPDOCS\FILES\CITY\MNGR\ANNEX.MEM