

**ORDINANCE NO. 01-95 AC CMS**

**AN ORDINANCE REZONING REAL PROPERTY LOCATED AT 118 EAST LORAIN STREET, OBERLIN, OHIO, FROM "R-1"/SINGLE-FAMILY DWELLING DISTRICT TO "PD"/PLANNED DEVELOPMENT DISTRICT**

WHEREAS, a Petition to Rezone certain 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 118 East Lorain Street, Oberlin, Ohio, is hereby zoned from "R-1"/Single-Family Dwelling District to "PD"/Planned Development District, use:

**PARCEL NO. 1**

Situated in the City of Oberlin, County of Lorain, and State of Ohio and known as being part of Original Oberlin Village Lot No. 117 in the Original Village Plat of Oberlin, of part of Original Russia Township Lot No. 76 (Vol. 5, Pg. 30) and bounded and described as follows:

Beginning at a P.K. Nail set in the intersection of the centerline of Lorain Street (66 feet wide) and Park Street (40 feet wide), thence South 89 degrees 00 minutes 00 seconds West along the centerline of said Lorain Street a distance of 115.98 feet to a P.K. Nail set at the Southwesterly corner of lands now or formerly owned by V. & K. Kirkendall (Inst. #980526087) which marks the true place of beginning for the following described parcel of land; Thence continuing South 89 degrees 00 minutes 00 seconds West along the centerline of Lorain Street a distance of 98.99 feet to a P.K. Nail set; Thence North 00 degrees 52 minutes 00 seconds West a distance of 230.87 feet to 1/2" iron pin found at the Southwesterly corner of lands now or formerly owned by M.E. Digby (Vol. 0388, Pg. 823); Thence North 88 degrees 55 minutes 44 seconds East along the Southerly line of said Digby a distance of 99.66 feet to a 5/8" capped rebar set at the Northwesterly corner of said Kirkendall; Thence South 00 degrees 42 minutes 00 seconds East along the Westerly line of said Kirkendall a distance of 231.00 feet to the true place of beginning, containing 0.5266 acres of land, more or less, but subject to all legal highways and easements of record as surveyed by Daniel J. Cook, Registered Surveyor No. 7179, of Campbell & Associates Inc., in August, 1999. Permanent Parcel No. 09-00-076-103-067

The above described parcel of land is a part of lands conveyed to R.J. Hammer (Vol. 0138, Pg. 598) in Lorain County Records.

The basis of bearings used in the description above is North 89 degrees 00 minutes 00 seconds East for the Centerline of Lorain Street (Vol. 5, Pg. 30) in Lorain County Records.

PARCEL NO. 2

Situated in the City of Oberlin, County of Lorain, and State of Ohio and known as being part of Original Oberlin Village Lot No. 117 in the Original Village Plat of Oberlin, of part of Original Russia Township Lot No. 76 (Vol. 5, Pg. 30) and bounded and described as follows:

Beginning at a P.K. Nail set at the intersection of the center lines of Lorain Street (66 feet wide) and Park Street (40 feet wide), thence South 89 degrees 00 minutes 00 seconds West along the centerline of said Lorain Street a distance of 214.97 to a P.K. Nail set, Thence North 00 degrees 52 minutes 00 seconds West a distance of 230.87 feet to 1/2" iron pin found at the Southwesterly corner of lands now or formerly owned by M.E. Digby (Vol. 0388, Pg. 823) which marks the true place of beginning for the following described parcel of land; Thence continuing North 00 degrees 52 minutes 00 seconds West along the Westerly line of said Digby a distance of 84.64 feet to a 5/8" rebar set in the Southerly line of M.L. Hill; Thence South 89 degrees 00 minutes 00 seconds West along the Southerly line of said Hill a distance of 115.50 feet to a 5/8" capped rebar set in the Easterly line of lands now or formerly owned by W. & S. Yong (Ins. #970498867); Thence South 00 degrees 52 minutes 00 seconds East along the Easterly line of said Yong a distance of 51.64 feet to a 5/8" rebar set in the Northerly line of lands now or formerly owned by J. & S. Clark (Vol. 0286, Pg. 737); Thence North 89 degrees 00 minutes 00 seconds East along the Northerly line of Clark a distance of 16.50 feet to a 5/8" capped rebar set at the Northeast corner of said Clark; Thence South 00 degrees 52 minutes 00 seconds East along the easterly line of said Clark a distance of 33.12 feet to a 5/8" capped rebar set at the Northwest corner of land now or formerly owned by J. Sheppard (Vol. 11008, Pg. 591); Thence North 88 degrees 55 minutes 44 seconds East along the Northerly line of said Sheppard a distance of 99.00 feet to the true place of beginning, containing 0.2121 acres of land, more or less, but subject to all legal highways and easements of record, as surveyed by Daniel J. Cook, Registered Surveyor NO. 7179, of Campbell & Associates Inc. in August, 1999. Permanent Parcel No. 09-00-076-103-064

The above described parcel of land is part of lands conveyed to R.J. Manner (Vol. 0138, Pg. 598) in Lorain County Records.

The basis of bearings used in the description above is North 89 degrees 00 minutes 00 seconds East for the Centerline of Lorain Street (Vol. 5, Pg. 30) in

Lorain County Records.

PARCEL NO. 3

Situated in the City of Oberlin, County of Lorain, and State of Ohio and known as part of Original Oberlin Village Lot No. 117 in the Original Village Plat of Oberlin, of part of Original Russia Township Lot No. 76 (Vol. 5, Pg. 30) and bounded and described as follows: Beginning at P.K. Nail set at the intersection of the center lines of Lorain Street (66 feet wide) and Park Street (40 feet wide), thence South 89 degrees 00 minutes 00 seconds West along the centerline of said Lorain Street a distance of 214.97 to a P.K. Nail set which marks the true place of beginning for the following described parcel of land; Thence continuing South 89 degrees 00 minutes 00 seconds West along the centerline of Lorain Street a distance of 49.32 feet to a P.K. Nail set at the Southeast corner of land now or formerly owned by J. Sheppard (Vol. 1108, Pg. 591); Thence North 00 degrees 52 minutes 00 seconds West along the Easterly line of said Sheppard a distance of 230.81 feet to a 5/8" rebar set at the Northeast corner of Sheppard; Thence North 88 degrees 55 minutes 44 seconds East a distance of 49.32 feet to a 1/2" iron pipe found at the Southwest corner of land now or formerly owned by M. Digby (Vol. 0383, Pg. 823); Thence South 00 degrees 52 minutes 00 seconds East a distance of 230.87 feet to the true place of beginning, containing 0.2614 acres of land, more or less, but subject to all legal highways and easements of record, as surveyed by Daniel J. Cook, registered Surveyor No. 7179, of Campbell & Associates Inc. in August, 1999. Permanent Parcel No. 09-00-076-103-066

The above described parcel of land is part of lands conveyed to R.J. Hammer (Vol. 0138, Pg. 598) in Lorain County Records.

The basis of bearings used in the description above is North 89 degrees 00 minutes 00 seconds East for the Centerline of Lorain Street (Vol. 5, Pg. 30) in Lorain County Records.

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.

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PASSED: 1<sup>st</sup> Reading - November 19, 2001  
2<sup>nd</sup> Reading - December 3, 2001  
3<sup>rd</sup> Reading - December 17, 2001 (effective in 30 days)

ATTEST:

Crystal Howard  
CLERK OF COUNCIL

James M. Brummon  
CHAIR OF COUNCIL

POSTED: December 18, 2001

EFFECTIVE DATE: January 16, 2002

cc:/ORD01-95SpiothRezoning