

**ORDINANCE NO. 06-105 AC CMS**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 124.6016 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON APPLICATION OF THE OWNERS, JOHANNA L. GOTT, TRUSTEE, THARON GOTT AND LYNDA GOTT**

**WHEREAS, a petition for the annexation of certain territory containing approximately 124.6016 acres of land within Pittsfield Township was duly filed by the property owners, Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott; and**

**WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on September 14, 2006; 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 10, 2006; 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 thereto concurring:**

**SECTION 1. That the application of the property owners, Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott, for the annexation of the territory described in Exhibit A attached hereto and incorporated herein by reference in the County of Lorain and adjacent to the City of Oberlin, 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 the City of Oberlin, be and the same is hereby accepted.**

**SECTION 2. That said territory so annexed is hereby zoned in accordance with Section 1329.06 of the Codified Ordinances of the City of Oberlin, and shall be subject to the land uses and design standards applicable thereto.**

**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 Mark R. Stewart, Lorain County Auditor, one copy to Judy Nedwick, Lorain County Recorder, and one copy to the Ohio Secretary of**



## **EXHIBIT A**

### **ORDINANCE NO. 06-105 AC CMS**

**Situated in the State of Ohio, County of Lorain, Township of Pittsfield, and being all of a 15.12 acre tract in Original Lot No. 7, and that part of a 60 acre tract in Original Lot No. 6 lying westerly of the highway right of way of SR 58, of Johanna L. Gott, Tr. of the Johanna L. Gott Trust as conveyed in RN 20010756363, also being all of a 27.998 acre tract, and that part of a 22.298 acre tract lying westerly of the highway right of way of SR 58, of Tharon J. and Linda M. Gott, D.V., 1271, Pg. 89, all tracts together containing 124.6016 acres of land to be annexed to the City of Oberlin, all references to the records of the Lorain County Recorder's Office, and being more particularly described as follows:**

**Beginning, for reference, at an iron pin found in a monument box in the centerline of SR 58 at Station 753+00.30 of plans for SR 58 (Lor-58-7.98) on file with the Ohio Department of Transportation District Three; thence S 0°57'55" W with said centerline, a distance of 71.66 a feet to a point at Station 752+28.64; thence, N 89°55'55" W, a distance of 55.01 feet to a ½ inch iron rod set in the westerly right of way line of SR58 and the south line of Original Lot 6 and the TRUE POINT OF BEGINNING for this description;**

**Thence, continuing with the south lien of Orig. Lot No. 6, N 89°55'55" W, and with a 5 acre parcel of J. A. Machnauer and E. J. Burgess, D.V., 1288, Pg. 482 and lands of Carol Varner, O.R. 1044, Pg. 265, a distance of 2600.33 feet to a point at the southwest corner of Original Lot No. 6;**

**Thence, N 89°59'45" W with the south line of Original Lot No. 7 and lands of Oberlin Land Co., O.R. 83, Pg. 488, a distance of 1405.17 feet to a ¾" iron pipe found in the east line of lands of the City of Oberlin, D.V. 1093, Pg. 888 (formerly the right of way of the Lorain & Ashland Railroad Company);**

**Thence, N 1°28'52" E with said lands of the City of Oberlin, a distance of 1344.18 feet (previously recorded as 1342.71 feet) to a point at the southwest corner of Oberlin Reserve Subdivision No. 3, P.V. 74, Pages 40, 41 and 42, said point referenced by a ¾" iron pipe found 0.08' south and 0.28 feet east;**

**Thence, N 89°35'37" E with the south line of Oberlin Reserve Subdivision No. 3, P.V. 74, Pages 40, 41 and 42, with Oberlin Reserve Subdivision No. 2, P.V. 74, pages 37, 38 and 39, and with Oberlin Reserve Subdivision No. 1, P.V. 59, Pages 29, 30 and 31 and Blocks B and C of said subdivision, a distance of 3992.11 feet to a ½" iron rod set in the west right of way line of SR58;**

**PAGE 2 – EXHIBIT A – ORDINANCE NO. 06-105 AC CMS**

Thence, southerly with said west right of way line the following five (5) courses:

1. S 0°40'01" W, a distance of 367.85 feet to a point;
2. S 0°57'55" W, a distance of 585.33 feet to a point;
3. S 8°05'25" W, a distance of 201.56 feet to a point;
4. S 0°57'55" W, a distance of 150.00 feet to a point;
5. S 18°07'42" E, a distance of 76.43 feet to a point of beginning for this description, containing 124.6016 acres of land, more or less.

This description was prepared by John Hancock, P.S. No. 6918 from a survey conducted in July, 2006. Bearings herein are based on NAD83 (1995), State Plane Coordinate System Zone: Ohio North (3401)

S/John Hancock, P.S. No. 6918  
August 15, 2006  
File 155806

City of  
**Oberlin**

85 South Main Street, Oberlin, Ohio 44074  
(440) 775-1531

03-15-07A09:53 RCVD



Doc ID: 010189260036 Type: OFF  
Kind: ANNEXATION  
Recorded: 03/12/2007 at 02:22:26 PM  
Fee Amt: \$300.00 Page 1 of 36  
Lorain County, Ohio  
Judith M Nedwick County Recorder  
File **2007-0193686**

**CERTIFICATION**

I, Sheri Haury, Interim Clerk of Oberlin City Council, do hereby certify that the attached is a true and correct copy of Ordinance No. 06-105 AC CMS, its annexation attachments, and transcript of proceedings from the Board of Commissioners for Johanna L. Gott, Trustee, Tharon Gott and Lynda Gott, containing approximately 124.6016 acres.

Dated: 1/18/07

*Sheri Haury*  
Sheri Haury, Interim Clerk  
Oberlin City Council

/sh

NO TRANSFER NECESSARY  
MARK R. STEWART  
LORAIN COUNTY AUDITOR

*Y McCallahan* 2/13/07  
DEPUTY

*"Ohio's Best College Town"*

—OHIO Magazine

# REPORT

## Planning and Development Department

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**To:** Rob DiSpirito, City Manager

**From:** Gary Boyle, Director of Planning and Development

**Subject:** Annexation Request  
Johanna L. Gott, Tharon J. Gott and Lynda M. Gott  
16380 State Route 58

**Date:** December 26, 2006

The above-mentioned annexation request was considered by City Council at its meeting on December 18, 2006. This request seeks the annexation of approximately 124 6016 acres  $\pm$  of land from Pittsfield Township to the City of Oberlin. The property in question is located along the west side of State Route 58, and to the south of and abutting the Oberlin Reserve Subdivision – Phases I, II and III in the City of Oberlin.

As you are aware, the Gott property is located within the “District” affected by the recently-executed Annexation Agreement with Pittsfield Township (please see attached copy of the District Map in that agreement – “Exhibit A”). It is our understanding that the Board of Commissioners of Lorain County has granted approval of the annexation request on September 14, 2006 for the Gott property.

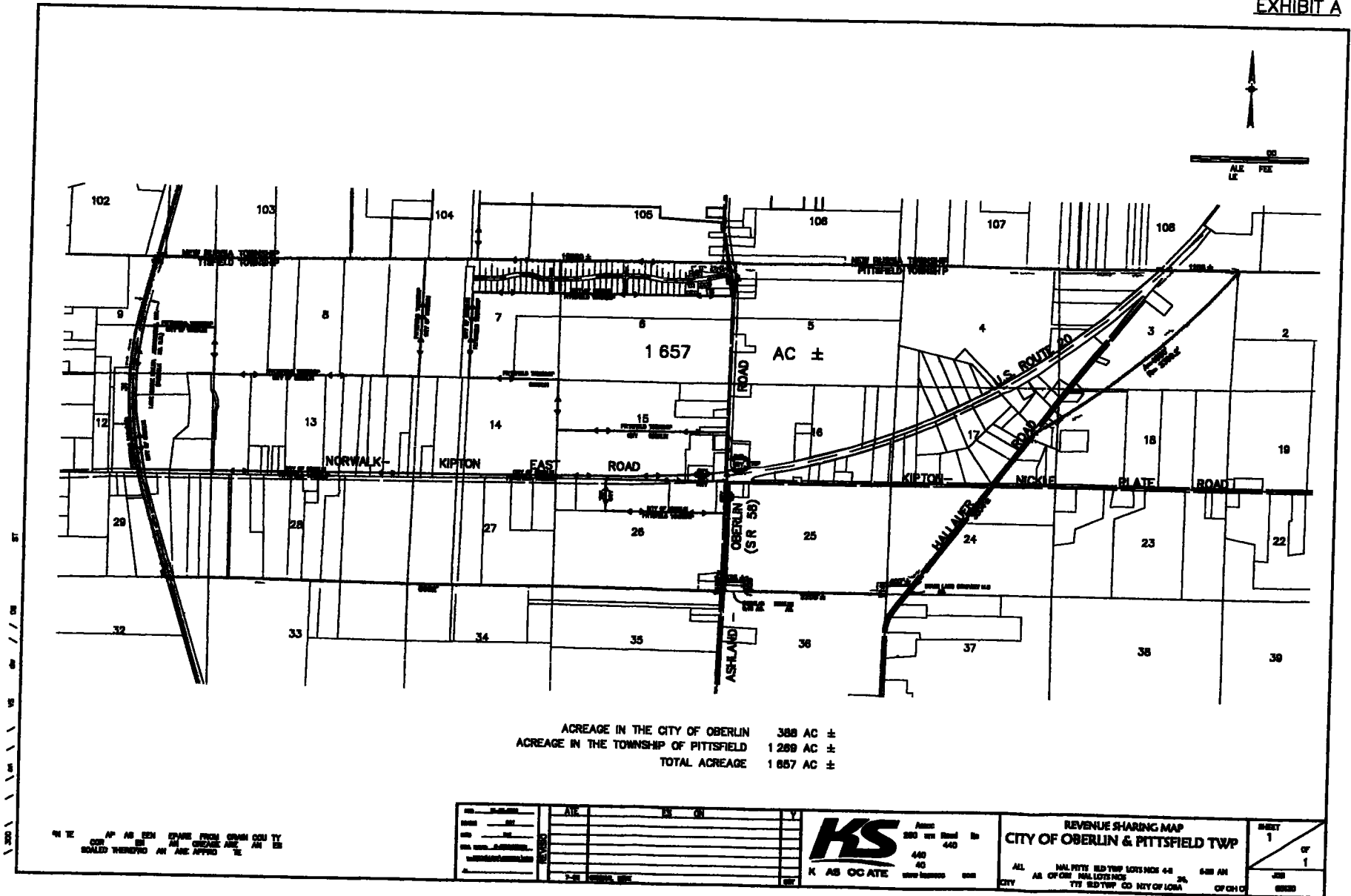
Section 1320.06 of the Codified Ordinances provides that land annexed to the City within the “District” shall not automatically be classified as “R-1A” District but shall be subject to the land uses and design standards set forth in the Agreement. In this regard, it is noted that “Exhibit E” of the Agreement is a future “Land Use Plan” for the “District” area. That Plan as well as the City’s Comprehensive Plan indicates that the Gott property is intended for residential use at various densities, and that an “open space” designation affects some of the west portion of that property. Copies of “Exhibit E” and the Comprehensive Plan’s “Land Use” Plan are attached for your reference.

This report is hereby respectfully submitted for your information. Please advise if you require anything else on this matter at this time.

LEGEND

D STR AREA

EXHIBIT A



Land Use Plan

- |   |   |
|---|---|
| Low Density Residential<br>(Conservation Development Preferred) | Commercial  |
| Medium/High Density Residential                                 | Office  |
| Cluster Residential   | Industrial  |
| Open Space<br>(Parks, Preserves, Outdoor Recreation)            | Zoned by Pittsfield Township<br>as Industrial, Office, Business Park? |
| Priority Conservation Development Areas                         | Existing and Proposed Streets   |
| Institutional   | Facilities Planning Area<br>(Sanitary Sewer Service)                  |
|   | Existing City Limits  |

LEGEND	
	REVENUE SHARING DISTRICT
	TOWNSHIP BOUNDARY
	CITY LIMITS



DATE: 9/7/2006

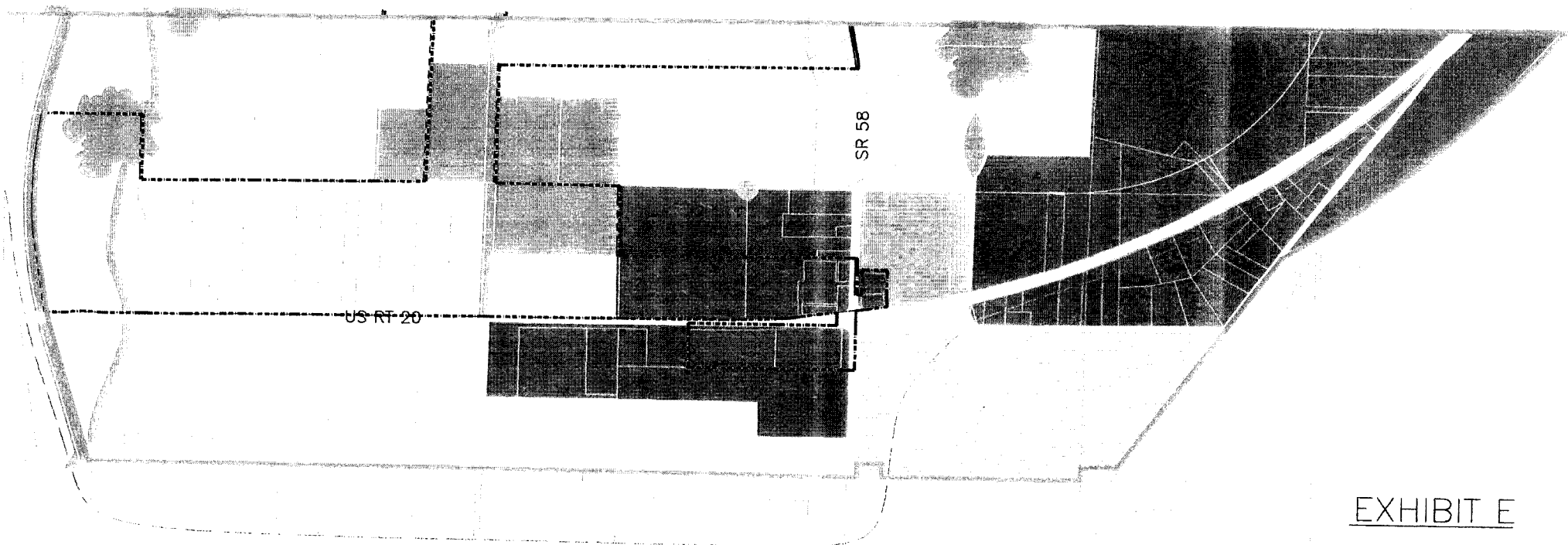
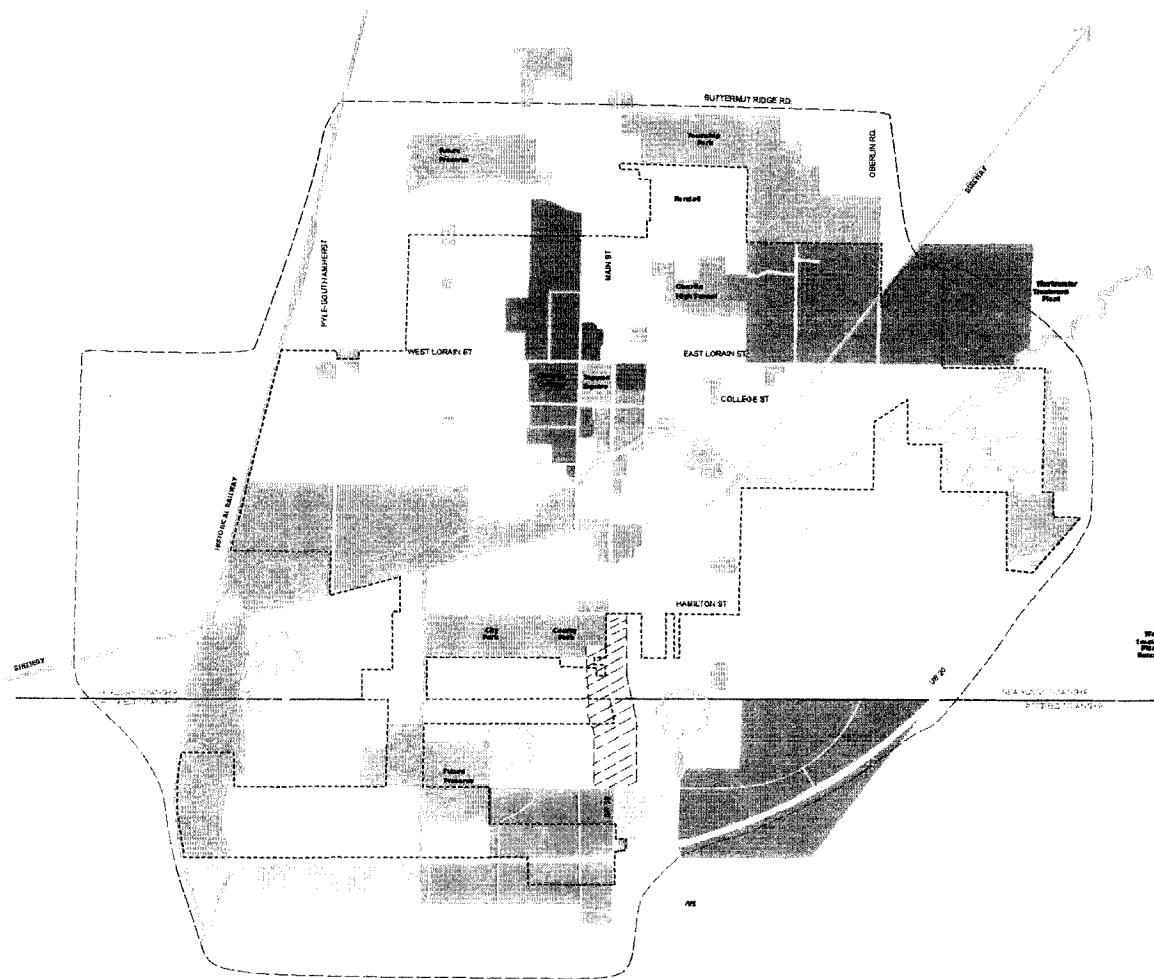
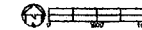


EXHIBIT E





# **OBERLIN** **COMPREHENSIVE PLAN** **Update 2004**



As approved by Oberlin City Council  
3 January 2006

## **Land Use Plan**

- Low Density Residential  
(Conservation Development Preferred)
- Medium/High Density Residential
- Quarter Residential
- Open Space  
(Rude, Reserve, Outdoor Recreation)
- Priority Conservation Development Areas
- Public
- College
- Commercial
- Office
- Industrial
- Zoned by Pittsfield Township  
as "Industrial, Office, Business Park"
- Existing and Proposed Streets
- Facilities Planning Area  
(Sanitary Sewer Service)
- Existing City Limits

Amended by Ordinance No. 06-67 AC CMS  
to reflect C-3 District Plan and O District Plan  
and draft City-Township Agreement  
in area of SR 58 and US 20.  
Proposed roads in JVS area deleted.  
NE corner 20/58 amended to commercial.  
Annexations at 20/58 added.

planning + design