

ORDINANCE NO. 06-12 AC CMS

**AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY
11.1324 ACRES OF REAL ESTATE TO THE CITY OF OBERLIN UPON
APPLICATION
OF THE OWNER, LAND CONCEPTS COMPANY, INC.**

WHEREAS, a petition for the annexation of certain territory containing approximately 11.1324 acres of land within Pittsfield Township was duly filed by the property owner, Land Concepts Company, Inc.

WHEREAS, the petition was duly considered by the Board of Commissioners of Lorain County, Ohio, on October 20, 2005; 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 November 29, 2005; 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 owner, Land Concepts Company, Inc., for the annexation of the following described territory in the County of Lorain and adjacent to the City of Oberlin, to wit:

Situated in the State of Ohio, County of Lorain, Township of Pittsfield, known as being a part of Original Pittsfield Township Lot No. 26, being the land described in Volume 209, Page 59 of the Lorain County Official Records and being further bounded and described as follows:

Beginning at the 1-inch diameter iron pipe found at the intersection of the south line of U.S. Route 20, Kipton East Road (width varies), with the west line of Original Pittsfield Township Lot No. 26, thence North 03° 00' 59" East along said west line a distance of 76.64 feet to the northwest corner of said Lot No. 26, said point being also the former centerline of Kipton Nickle Plate Road (now a part of U.S. Route 20); Thence South 87° 05' 00" East along the north line of said Lot No. 26 a distance of 776.11 feet to the northeast corner of land conveyed to W. Claud, William A. and

Glenn A. Turnbull by deed recorded in Volume 617, Page 221 of the Official Records and being the principal point of beginning;

Thence continuing South 87° 05' 00" East along said north line a distance of 987.73 feet to the northwest corner of land conveyed to the Mohrman Family Partnership by deed recorded in Instrument No. 20040019890;

Thence South 04° 00' 55" West, passing through a 1-inch iron pipe found at 54.49 feet, a distance of 494.39 feet to a 1-inch diameter iron pipe found at the southwest corner of said Mohrman Family Partnership land and in the north line of land conveyed to Darl L. and Doris Hendrix by deed recorded in Volume 738, Page 173 of Deeds;

Thence North 87° 00' 44" West along said north line a distance of 976.75 feet to a 1-inch diameter iron pipe found at the southeast corner of the aforementioned Turnbull land;

Thence North 02° 44' 32" East, passing through a 1-inch diameter iron pipe found at 420.45 feet, a distance of 493.09 feet to the principal point of beginning and containing therein 11.1324 acres of land as surveyed by Zwick Associates, Inc., in September 2005.

This description prepared in September 2005, by Zwick Associates, Inc., Donald E. Himes, Registered Surveyor No. 6163. Distances are given in feet and decimal parts thereof. North datum used is the bearing of record for the north line of O.L. 26 and is for the purpose of describing angles only. Property corners were found or set as indicated. All iron pins set are 5/8-inch diameter rebar, 30 inches long, with Zwick cap

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 "R-1A", pursuant to Section 1329.03 of the Codified Ordinances of the City of Oberlin, and is hereby subject to all conditions stipulated under such district and all other regulations and restrictions of the City of Oberlin now or hereinafter promulgated.

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 Kenneth Blackwell, Secretary

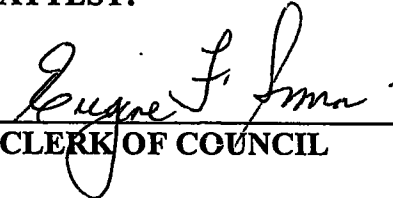
State, and shall file notice of this annexation with the Lorain County Board of Elections within thirty (30) days after it becomes effective, and shall do all other things required by law therein.

SECTION 4. 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.

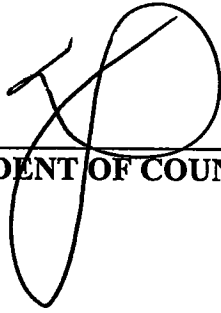
SECTION 5. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading – February 6, 2006 (E) (Waived 3 readings/Effective in 30 days)
2nd Reading –
3rd Reading –

ATTEST:



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

POSTED: February 7, 2006

EFFECTIVE DATE: ~~February~~ 7, 2006 *efc*
March

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