

VILLAGE OF GRAFTON

ORDINANCE NO. 19-012

INTRODUCED BY:

MOTION BY:

SECONDED BY:

AN ORDINANCE AUTHORIZING THE VILLAGE OF GRAFTON TO FILE A PETITION WITH THE LORAIN COUNTY COMMISSIONERS TO REQUEST ANNEXATION OF LAND INTO THE VILLAGE OF GRAFTON FROM THE TOWNSHIP OF EATON AND THE TOWNSHIP OF GRAFTON PURSUANT TO OHIO REVISED CODE § 709.14 AND § 709.16 AND DECLARING EMERGENCY

WHEREAS, Council deems it in the best interest of the Village of Grafton to file a Petition for annexation of certain lands only owned by the Village of Grafton; and

WHEREAS, said lands are contiguous to the Village of Grafton and located in Eaton Township and Grafton Township; and

WHEREAS, said lands currently comprise portions of parcels of land which the Village owns along St Rt 83 and adjoining properties.

NOW, THEREFORE, be it RESOLVED as follows:

SECTION 1. The Village of Grafton requests the Lorain County Commissioners approve the annexation of the following lands:


- Land situated in Eaton Township, Lorain County, Ohio, as more fully detailed and described in the Description of Corporation Line "A" as set forth on Exhibit #1 (legal description) and Exhibit #5 (map) attached hereto;
- Land situated in Eaton Township, Lorain County, Ohio, as more fully detailed and described in the Description of Corporation Line "B" as set forth on Exhibit #2 (legal description) and Exhibit #5 (map) attached hereto;
- Land situated in Grafton Township, Lorain County, Ohio, as more fully detailed and described in the Description of Corporation Line "C" as set forth on Exhibit #3 (legal description) and Exhibit #5 (map) attached hereto;
- Land situated in Eaton Township, Lorain County, Ohio, as more fully detailed and described in the Description of Corporation Line "D" as set forth on Exhibit #4 (legal description) and Exhibit #5 (map) attached hereto;


SECTION 2. Gretchen A. Holderman, the Village Solicitor, is hereby authorized to prosecute the proceedings necessary to complete this annexation.


SECTION 3. The Mayor is hereby authorized to execute a Petition for Annexation on behalf of the Village of Grafton and to submit such Petition for Annexation to the Lorain County Commissioners.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and open to the public, in compliance with all legal requirements, including the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public health, safety and welfare of the citizens of the Village of Grafton, the immediate emergency being the necessity seek the annexation of the above-referenced proper to further the development of the Village and to accomplish the annexation of contiguous land owned by the Village into the Village, therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.



PRESIDENT OF COUNCIL


MAYOR


CLERK-TREASURER

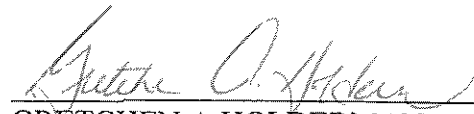
6-4-19

DATE PASSED
6-4-19

DATE APPROVED
6-4-19

DATE ATTESTED

APPROVED AS TO FORM BY:



GRETCHEN A HOLDERMAN
DIRECTOR OF LAW

**DESCRIPTION OF PROPOSED
CORPORATION LINE "A"**

Situated in Eaton Township, Lorain County, Ohio, and being part of Original Lots 37, 38, 39, 43, and 44, of Township 5 North, Range 16 West, and the proposed corporation line being described for the Village of Grafton more particularly described as follows:

- 1) BEGINNING in Original Lot 43 on the existing corporation line of the Village of Grafton and on the east right-of-way line of State Route 83 (a.k.a. South Avon Beldon Road), and at a point 122.59 feet more or less south of the southeasterly property line of CSX Railroad, formerly known as the C.C.C. and St. L. Railroad;
- 2) Thence on and along the east right-of-way line of State Route 83 (a.k.a. South Avon Beldon Road), in a northerly direction a distance of 122.59 feet more or less to the southeasterly property line of CSX Railroad;
- 3) Thence on and along said southeasterly property line of CSX Railroad and being 100.00 feet northwesterly of the existing corporation line, in a northeasterly direction a distance of 4914.66 feet more or less to the most westerly corner of land known as Auditor Parcel 1100037000004, said land shown as conveyed to Eaton Township Trustees in Instrument No. 928015#1976;
- 4) Thence on and along the southerly line of said Eaton Township Trustees property and being 100.00 feet northerly of the existing corporation line, in a southeasterly direction a distance of 1,296.01 feet more or less to the centerline of right of way of South Island Road and the east line of Original Lot 37;
- 5) Thence on and along the centerline of right of way of South Island Road and said east line of Original Lot 37, and being 130.00 feet east of the existing corporation line, in a southerly direction a distance of 1,308.44 feet more or less to the southeast corner of Original Lot 37 and the northeast corner of Original Lot 38;
- 6) Thence on and along the centerline of right of way of South Island Road and the east line of Original Lot 38, and being 130.00 feet east of the existing corporation line, in a southerly direction a distance of 2,873.62 feet more or less to the southeast corner of said Original Lot 38 and the northeast corner of Original Lot 39;
- 7) Thence on and along the centerline of right of way of South Island Road and the east line of Original Lot 39, and being 130.00 feet east of the existing corporation line, in a southerly direction a distance of 2,589.80 feet more or less to the northeast corner of land described in Instrument No. 20030928015, as conveyed to Michael J. Hearn and Elaine D. Hearn;


Exhibit

1

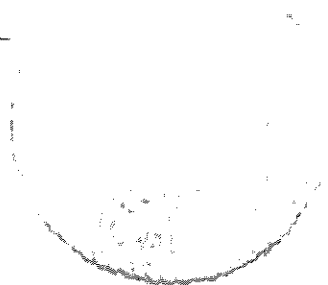
- 8) Thence on and along the north line of Michael J. Hearn and Elaine D. Hearn and being 100.00 feet south of the existing corporation line, in a westerly direction a distance of 264.01 feet more or less to the northwest corner of said Hearn property;
- 9) Thence on and along the west line of said Michael J. Hearn and Elaine D. Hearn and being 100.00 feet east of the existing corporation line, in a southerly direction a distance of 82.50 feet more or less to the south line of said Original Lot 39 and the north line of Original Lot 40;
- 10) Thence on and along the south line of said Original Lot 39 and the north line of Original Lot 40, and being 100.00 feet south of the existing corporation line, in a westerly direction a distance of 1,220.68 feet more or less to the existing corporation line of the Village of Grafton and the point of termination of this description;

The above described proposed corporation line is parallel to the existing corporation line creating a strip of land of varying widths, containing in 37.507 acres more or less, and being subject to legal highway, easements, and restrictions.

This description and related survey plat is based on an actual field survey performed in January of 2018 by Poggemeyer Design Group under my supervision, Kevin Canavan, Professional Surveyor No. 7448.

 May 30, 2019

POGGEMEYER DESIGN GROUP, INC.
1168 NORTH MAIN STREET
BOWLING GREEN, OHIO 43402
(419) 352-7537



**DESCRIPTION OF PROPOSED
CORPORATION LINE "B"**


Situated in Eaton Township, Lorain County, Ohio, and being part of Original Lots 40, 41, and 60, of Township 5 North, Range 16 West, and the proposed corporation line being described for the Village of Grafton more particularly described as follows:

BEGINNING in Original Lot 60 on the existing corporation line of the Village of Grafton, and on the east right of way line of State Route 83 (a.k.a. South Avon Beldon Road), and at a point by perpendicular measurement 100.00 feet north of the south line of Original Lot 60;

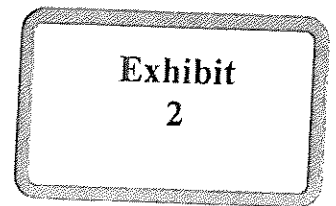
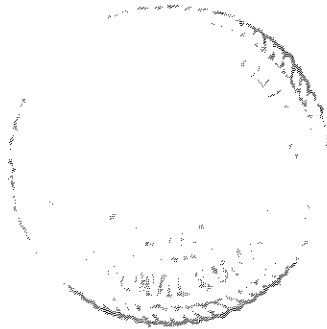
- 1) Thence on and along the east right of way line of State Route 83 in a southwesterly direction a distance of 112.66 feet more or less to the south line of said Original Lot 60;
- 2) Thence on and along the south lines of Original Lots 60, 41, and 40, in an easterly direction a distance of 4245.40 feet more or less to the southeast corner of land described in Instrument No. 2019-0706947, as conveyed to Village of Grafton, and at the southwest corner of an unrecorded plat known as Eaton Island Farms Proposed;
- 3) Thence on and along the east line of said Village of Grafton property and the west line of said Eaton Island Farms Proposed plat in a northerly direction a distance of 1504.72 feet more or less to the northeasterly corner of said Village of Grafton property, and at the southeast corner of State of Ohio land known as Auditor Parcel 1100040000023;
- 4) Thence on and along the northerly line of said Village of Grafton property and the south line of said State of Ohio land known as Auditor Parcel 1100040000023 in a westerly direction a distance of 100.00 feet more or less to the existing corporation line of the Village of Grafton and the point of termination of this description.

The above described proposed corporation line is 100.00 feet from and parallel to the existing corporation line creating a 100.00 foot wide strip of land containing in 12.911 acres more or less, and being subject to legal highway, easements, and restrictions.

This description and related survey plat is based on an actual field survey performed in January of 2018 by Poggemeyer Design Group under my supervision, Kevin Canavan, Professional Surveyor No. 7448.

 May 30, 2019

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**DESCRIPTION OF PROPOSED
CORPORATION LINE "C"**

Situated in Grafton Township, Lorain County, Ohio, and being part of Original Lot 5, Township 5 North, Range 16 West, and part of land described in Instrument No. 837319#1846, as conveyed to Village of Grafton, and the proposed corporation line being described for the Village of Grafton more particularly described as follows:

COMMENCING at the southeast corner of Original Lot 5 and on the centerline of State Route 83 (a.k.a. South Avon Beldon Road);

Thence on and along the east line of Original Lot 5 and the centerline of State Route 83, in a northerly direction a distance of 1969.35 feet more or less to the southeast corner of land described in Instrument No. 837319#1846, as conveyed to Village of Grafton;

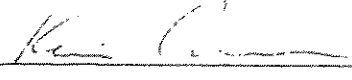
Thence on and along the south line of said land described in Instrument No. 837319#1846, in a westerly direction a distance of 30.00 feet more or less to the west right of way line of State Route 83 and the TRUE POINT OF BEGINNING;

Thence on and along the proposed corporation line and the westerly right of way line of State Route 83 in a northerly direction a distance of 190.00 feet more or less to a point on the north line of said land described in Instrument No. 837319#1846, and the point of termination of this description;

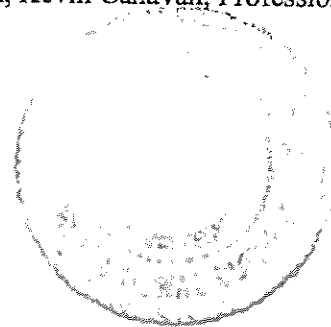
There is 0.436 acres more or less between the existing corporation line and the proposed corporation line on said land described in Instrument No. 837319#1846, and all being subject to legal highway, easements, and restrictions.

The intent of this description is to incorporate all land described in said Instrument No. 837319#1846, as conveyed to Village of Grafton, less road right of way.

This description and related survey plat is based on an actual field survey performed in January of 2018 by Poggemeyer Design Group under my supervision, Kevin Canavan, Professional Surveyor No. 7448.


MAY 30, 2019

POGGEMEYER DESIGN GROUP, INC.
1168 NORTH MAIN STREET
BOWLING GREEN, OHIO 43402
(419) 352-7537



DESCRIPTION OF PROPOSED CORPORATION LINE "D"

Situated in Eaton Township, Lorain County, Ohio, and being part of Original Lot 58, of Township 5 North, Range 16 West, and part of land described in Instrument No. 837320#1846, as conveyed to Village of Grafton, described as follows:

COMMENCING on the east line of Original Lot 58 and on the centerline of right-of-way of State Route 83 (a.k.a. South Avon Beldon Road), at a point on the southeasterly property line of CSX Railroad, formerly known as the C.C.C. and St. L. Railroad;

Thence on and along said centerline of right-of-way of State Route 83 and the east line of Original Lot 58, in a southerly direction a distance of 360.30 feet more or less to the northeast corner of said land described in Instrument No. 837320#1846;

Thence on and along the north line of said land described in Instrument No. 837320#1846, in a westerly direction a distance of 250.60 feet more or less to a property corner;

Thence on and along an east line of said land described in Instrument No. 837320#1846, in a northerly direction a distance of 59.95 feet more or less to the Village of Grafton existing corporation line and the TRUE POINT OF BEGINNING;

- 1) Thence parallel to and 100.00 feet southeast of the southeast property line of CSX Railroad, in a southwesterly direction, a distance of 150.23 feet more or less to the west line of said land described in Instrument No. 837320#1846;
- 2) Thence on and along said west line, in a northerly direction, a distance of 18.58 feet more or less to the northwest corner of said land described in Instrument No. 837320#1846;
- 3) Thence on and along the northwesterly line of said land described in Instrument No. 837320#1846, in a northeasterly direction, a distance of 150.00 feet more or less to the most northern corner of said land described in Instrument No. 837320#1846;
- 4) Thence on and along the easterly line of said land described in Instrument No. 837320#1846, in a southerly direction, a distance of 18.18 feet more or less returning to the true point of beginning, containing in all 0.052 acres more or less, and all subject to legal highway, easements, and restrictions, and all to incorporated to Village of Grafton.

The intent of this description is to incorporate all the land described in Instrument No. 837320#1846, less existing road right-of-way. This description and related survey plat is based on an actual field survey performed in January of 2018 by Poggemeyer Design Group under my supervision, Kevin Canavan, Professional Surveyor No. 7448.


Kevin Canavan, May 30, 2017

POGGEMEYER DESIGN GROUP, INC.
1168 NORTH MAIN STREET
BOWLING GREEN, OHIO 43402 (419) 352-7537

Exhibit

4

P.O.B. PROPOSED CORPORATION LINE 'C'

VILLAGE OF GRAFTON
INST. #8123184246, PID: PD0005000001
ALL OF THE PROPERTY TO BE BY CORPORATION
LIMITS LESS ROAD RIGHT OF R/W

P.O.B. PROPOSED CORPORATION LINE 'B'

POINT OF TERMINATION PROPOSED CORPORATION LINE 'B'

POINT OF TERMINATION PROPOSED CORPORATION LINE 'A'

S. AVON BELDON RD. S.R. 83

RELEASE OF GRAFTON VILLAGE OF GRAFTON INST. #8123184246, PID: PD0005000001 ALL OF THE PROPERTY TO BE BY CORPORATION LIMITS LESS ROAD RIGHT OF R/W P.O.B. PROPOSED CORPORATION LINE 'A'

P.O.B. PROPOSED CORPORATION LINE 'D'

SEE ENLARGED DETAIL

ANNEXATION TO THE VILLAGE OF GRAFTON, LORAIN COUNTY, OHIO, PART OF GRAFTON TWP., ORIGINAL LOT 5, AND EATON TWP., ORIGINAL LOTS 37, 38, 39, 40, 41, 42, 43, 44, 58, & 60. T5N, R16W

CAPEL RD

SOUTH ISLAND RD.

PROPOSED CORP. FROM LINE 'A' 17,907 ACRES MORE OR LESS SHOWN
PROPOSED CORP. ON LINE 'B' 2,811 ACRES MORE OR LESS SHOWN
PROPOSED CORP. ON LINE 'C' 0.458 ACRES MORE OR LESS SHOWN
PROPOSED CORP. ON LINE 'D' 0.057 ACRES MORE OR LESS SHOWN
TOTAL 50,932 ACRES MORE OR LESS SHOWN

PROPOSED CORPORATION LINE
EXISTING VILLAGE OF GRAFTON CORPORATION LINE

ENLARGED DETAIL (INTG)



1
2

VILLAGE OF GRAFTON

ANNEXATION TO VILLAGE OF GRAFTON, OHIO

POGGEMEYER DESIGN GROUP, INC.

POGGEMEYER DESIGN GROUP, INC.



Exhibit 5