

VILLAGE OF GRAFTON

ORDINANCE NO. 19-014

INTRODUCED BY:

MOTION BY: DUKLES

SECONDED BY: STRAH

AN ORDINANCE ACCEPTING THE ANNEXATION OF APPROXIMATELY 95.5349 ACRES OF REAL ESTATE TO THE VILLAGE OF GRAFTON, UPON THE APPLICATION OF THE OWNERS, KNG, LTD., AND DECLARING AN EMERGENCY

WHEREAS, a Petition for the annexation of certain territory consisting of approximately 95.5349 acres of land within Carlisle Township was duly filed by the property owner, KNG, Ltd.; and

WHEREAS, the Petition was duly considered and granted by the Board of Commissioners of Lorain County, Ohio; and

WHEREAS, the Board of Commissioners of Lorain County approved the annexation of territory to the Village of Grafton in Resolution #19-188, passed on April 3, 2019, as hereinafter described; and

WHEREAS, the Board of Commissioners of Lorain County certified the transcript of the proceedings in connection with the subject annexation to the Clerk of Council for the Village of Grafton who received same on April 16, 2019; and

WHEREAS, sixty (60) days from the date of that filing have now elapsed in accordance with Ohio law and specifically the provisions of Section 709.04 of the Ohio Revised Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GRAFTON, COUNTY OF LORAIN, AND STATE OF OHIO, AS FOLLOWS:

Section 1. That, the application of the property owner, KNG, Ltd., for the annexation of the following described territory in the County of Lorain and adjacent to the Village of Grafton, is hereby accepted by the Village of Grafton, to wit:

Situated in the Township of Carlisle, County of Lorain, State of Ohio and being known as part of Original Carlisle Township Section Number 25 and more definitely described as follows:

Beginning at a PK nail found at the centerline intersection of North Main Street (a.k.a. State Route 57) (R/W Varies) and Fox Run (60' R/W).

Thence South $71^{\circ} 33' 19''$ West along said centerline of Fox Run, a distance of 450.00 feet to a point in the easterly line of Fox Run Subdivision Number 2 as recorded in Volume 86, Page 57 of the Lorain County Plat Records;

Thence South $18^{\circ} 26' 41''$ East, along the westerly line of said Fox Run Subdivision Number 2 and along the westerly line of Fox Run Subdivision Number 3 as recorded in Volume 100, Page 33 of the Lorain County Plat Records, a distance of 464.13 feet to a point in the southeasterly corner of said Fox Run Subdivision Number 3;

Thence South $89^{\circ} 29' 50''$ West, along the southerly line of said Fox Run Subdivision Number 3, a distance of 1060.94 feet to a point in southwesterly corner of said Fox Run Subdivision Number 3 and being a southeasterly corner of said Carlisle Township; Said point being 0.09 feet northerly from a 1-inch iron pin found, and the True Place of Beginning of land herein described:

- Course 1: Thence continuing South $89^{\circ} 29' 50''$ West, along a southerly line of said Carlisle Township, a distance of 450.00 feet to a point;
- Course 2: Thence South $31^{\circ} 52' 04''$ West, along the easterly line of said Carlisle Township, a distance of 1714.06 feet to a point in the northerly right-of-way line of Baltimore & Ohio Railroad CSX (66 feet);
- Course 3: Thence North $58^{\circ} 40' 12''$ West, a distance of 473.90 feet to a point of curvature;
- Course 4: Thence along the northerly line of said Baltimore & Ohio Railroad CSX parcel and along the arc of a curve deflecting to the left, a distance of 564.02 feet and having a radius of 2322.09 feet, a tangent of 283.40 feet, a delta of $13^{\circ} 55' 00''$, and a chord distance of 562.63 feet which bears North $65^{\circ} 37' 42''$ West, to a point of tangency;

- Course 5: Thence North $72^{\circ} 35' 12''$ West, a distance of 377.29 feet to a point along the centerline of the Black River;
- Course 6: Thence North $08^{\circ} 19' 51''$ West, along the centerline of the Black River, a distance of 353.85 feet to a point;
- Course 7: Thence North $30^{\circ} 05' 51''$ West, along the centerline of the Black River, a distance of 123.07 feet to a point in the southerly line of Tanglewood Subdivision as recorded in Volume 51, Page 36 of the Lorain County Plat Records;
- Course 8: Thence South $70^{\circ} 58' 07''$ East, along the southerly line of said Tanglewood Subdivision, a distance of 180.78 feet to a point;
- Course 9: Thence North $54^{\circ} 17' 17''$ East, along the southeasterly line of said Tanglewood Subdivision, a distance of 455.04 feet to a point;
- Course 10: Thence North $00^{\circ} 13' 35''$ East, along the easterly line of said Tanglewood Subdivision, a distance of 702.98 feet to a point;
- Course 11: Thence North $14^{\circ} 18' 04''$ East, along the easterly line of said Tanglewood Subdivision, a distance of 499.21 feet to a point in the southerly line of said Tanglewood Subdivision and the northerly line of Carlisle Township Section 25;
- Course 12: Thence North $89^{\circ} 21' 43''$ East, along the southerly line of said Tanglewood Subdivision and the northerly line of said Carlisle Township Section 25, a distance of 2086.84 feet to a point in the westerly line of Tanglewood Subdivision Number 2 as recorded in Volume 61, Page 12 of the Lorain County Plat Records and in the easterly line of said Carlisle Township;
- Course 13: Thence South $00^{\circ} 00' 00''$ East, along the easterly line of said Carlisle Township, a distance of 90.84 feet to a point in the southwesterly corner of said Tanglewood Subdivision Number 2;

Course 14: Thence South 00° 29' 57" West, along the westerly line of Fox Run Subdivision Number 2 as recorded in Volume 86, Page 57 of the Lorain County Plat Records and the easterly line of said Carlisle Township, a distance of 914.25 feet to the True Place of Beginning.

Containing within said bounds 94.5349 acres of land, more or less, but subject to all legal highways and easements of record. All bearings are to an assumed meridian and are intended to describe angles only. Basis for bearings used was the portion of the south line of Tanglewood Subdivision as Recorded in Plat Volume 54, Page 36-38, which is assumed to be South 89° 21' 43" West.

The above intends to describe all of Lorain County Permanent Parcel Numbers 10-00-025-103-003, 10-00-025-103-004, 10-00-025-103-005, and 10-00-025-103-006 and a portion of Lorain County Permanent Parcel Numbers 10-00-025-103-025, 10-00-025-103-026, 10-00-025-103-035, & 10-00-025-103-037.

Section 2. That, the certified transcript of the proceedings for annexation with an accurate map of the territory together with the petition for annexation and any other papers relating to the proceedings of the County Commissioner, are on file with Clerk of Council, and have been for more than 60 days.

Section 3. That, the Clerk of Council is directed to make four (4) copies of this Ordinance, to each of which shall be attached a copy of the plat 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, and the Clerk of Council shall then forthwith deliver one (1) copy to the Lorain County Auditor, one (1) copy to the Lorain County Recorder, one (1) copy to the Lorain County Treasurer, and one (1) copy to the Ohio Secretary of State, and shall file notice of this annexation with the Lorain County Board of Elections with 30 days after it becomes effective and do all other things required by law.

Section 4. That, 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 that all deliberations of this Council that resulted in such formal action occurred in meetings open to the public, in compliance with all legal requirements, including the Ohio Revised Code.

Section 5. That, this Ordinance be, and hereby is 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 emergency being the necessity to accept the annexation as approved by the Lorain County Board of Commissioners; therefore, this Ordinance shall be in full force and effect from and upon its passage and approval by the Mayor.

M. Strak
PRESIDENT OF COUNSEL

6-18-19
DATE PASSED

John J. Strak
MAYOR

6-18-19
DATE APPROVED

Amy R. Brownhart
CLERK-TREASURER

6-18-19
DATE ATTESTED

APPROVED AS TO FORM BY: *Gretchen A. Holderman*
GRETCHEN A. HOLDERMAN, DIRECTOR OF LAW

MOTION TO WAIVE 3 READINGS: DUKLES
SECONDED: STRAK