

IN THE MATTER OF GRANTING AN ANNEXATION OF 3.21 ACRES, MORE OR LESS, TO THE VILLAGE OF MINSTER FROM JACKSON TOWNSHIP; PETITIONED BY JOINT TOWNSHIP DISTRICT MEMORIAL HOSPITAL.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of April, 2015.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, on April 24, 2015, a petition for annexation of a total of 3.21 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Art Swain as Agent for Petitioners Joint Township District Memorial Hospital; and,

WHEREAS, the requirements for the filing of said petition were all met by Art Swain, including:

- 1.) The petition meets all the requirements set forth in, and was filed in the manner provided, in the Ohio Revised Code Section 709.022.
 - 2.) The persons who signed the petition represent 100% of the owners of the property; signatures having been obtained in the time frame required.
 - 3.) An accurate legal description of the perimeter of the territory proposed to be annexed.
 - 4.) An accurate map or plat of the territory.
 - 5.) Named the party acting as agent for the petitioners.
 - 6.) A list of all tracts, lots or parcels in the territory proposed to be annexed and all tracts, lots or parcels located adjacent to the territory to be annexed, listing the name of owner, mailing address and permanent parcel number from the County Auditor's system (ORC 319.28).
 - 7.) An annexation agreement of the Village of Minster and Jackson Township as provided for in ORC 709.192.
- and,

WHEREAS, the petitioner requested that the special procedure be used and waived their right to appeal any action taken by the Board of County Commissioners; and,

WHEREAS, the Board determined that this annexation is in order, meeting all criteria.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby approve and grant the annexation of 3.21 acres, more or less, to the Village of Minster as petitioned by Joint Township District Memorial Hospital pursuant to ORC Section 709.022.

Commissioner Bergman seconded the Resolution and upon the roll being called, the Vote resulted in the adoption of the Resolution as follows:

Adopted this
28th day of
April, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula yes
Don Regula

John N. Bergman ye
John N. Bergman

cc: County Auditor
County Engineer
Jackson Township Trustees
Village of Minster
Joint Township District Memorial Hospital
Art Swain, Agent

Petition for Annexation

(ORC 709.022)

RECEIVED

APR 24 2015

Board of County Commissioners
Auglaize County, Ohio

To: Board of County Commissioners of Auglaize County, Ohio

The undersigned petitioner, Joint Township District Memorial Hospital (the "Petitioner"), being the sole owner of certain real estate proposed for annexation consisting of 3.21 acres, more or less, (the "Territory") hereby petitions to annex the Territory to the Village of Minster, Auglaize County, Ohio (the "Village") and from the Township of Jackson, Auglaize County, Ohio (the "Township")

The Territory proposed for annexation is adjacent and contiguous with the Village of Minster and part of a permanent parcel numbered E1402201303.

An accurate legal description of the perimeter of the Territory proposed for annexation is attached to and made a part of this petition as Exhibit "B".

Please take notice that, simultaneously with the filing of this petition, Joint Township District Memorial Hospital, is also filing a list of all tracts, lots or parcels in the Territory proposed for annexation and all tracts, lots or parcels located adjacent to the Territory, as well as an Annexation Agreement between the Village and the Township as required by ORC 709.022.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONER. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.


Art Swain
Vice President
Joint Township District Memorial Hospital


Date

Exhibit "A"
to
General Warranty Deed
from

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AUG 24 2010

Board of County Commissioners
Auglaize County, Ohio

CFHC, Ltd. an Ohio limited liability company
to

Joint Township District Memorial Hospital, an Ohio non-profit corporation

The following described tract of land is part of the Northeast Quarter of the Southeast Quarter of Section 22, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio and is more particularly described as follows:

Commencing at a R.R. spike at the Northeast corner of the Southeast Quarter of Section 22, Jackson Township;

Thence N. 89° 27' 55" E. along the North line of the Southeast Quarter of Section 22, Jackson Township, a distance of 136.70 feet to a spike in the centerline of State Route 66, which is the PLACE OF BEGINNING.

Thence S. 10° 09' 30" E. along the centerline of State Route 66 a distance of 285.25 feet to the P.T. of a 1° curve;

Thence S. 10° 03' 47" E. 19.03 feet along the chord of curve with the following data:
R= 5,724.58 feet, A=00° 11' 25", L=19.03, to a point;

Thence S. 89° 27' 55" W. on a line parallel to the North line of the Southeast Quarter of Section 22, a distance of 492.84 feet to an iron pin, passing thru an iron pin at 161.73 feet in the West right-of-way line of State Route 66;

Thence N. 00° 32' 05" W. a distance of 300.00 feet to an iron pin;

Thence N. 89° 27' 55" E. along the North line of the Southeast Quarter of Section 22, a distance of 442.00 feet to a spike in the centerline of State Route 66, passing thru a concrete monument at 300.00 feet in the West right-of-way line of State Route 66, said spike was the true PLACE OF BEGINNING;

Containing in all 3.21 acres of which 1.04 acre has been dedicated for highway purposes. The above described tract of land is subject to all legal easements, restrictions and reservations, if any, of record or in use on said premises. This plat is recorded in Survey Book G, page 680 in the Auglaize County Engineer's Office. The Bearings for this survey were taken from the State Route 66 R/W plans, based on the East-West One-half section line being N. 89° 27' 55" E.

Parcel ID: E1402201303

Prior Deed Reference: Volume 442, Page 1579 of the Auglaize County
Recorder's Official Records



04463 State Rec 66
Minster OH

- COPY -
original deed +
title insurance in
safe / 8/10/10

577
THIS CONVEYANCE HAS BEEN EXAMINED AND THE
GRANTOR HAS COMPLIED WITH SECTION 319.202
OF THE REVISED CODE
FEE \$ 1080.00 EXEMPT
JANET SCHULER
TRANSFERRED ON 7-29-10
BY kt

201000004004
Filed for Record in
AUGLAIZE COUNTY, OHIO
ANN BILLINGS, COUNTY RECORDER
07-29-2010 At 09:16 am.
WARRANTY DEED 28.00
OR Book 594 Page 397 - 398
201000004004
TREVA
BOX
Instrument 201000004004 OR 594 397
Book Page 594 397

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AUG 24 2010

Board of County Commissioners
Auglaize County, Ohio

General Warranty Deed

CFHC, LTD., an Ohio limited liability company, of Auglaize County, Ohio, for valuable consideration paid, grants with general warranty covenants, to **JOINT TOWNSHIP DISTRICT MEMORIAL HOSPITAL**, an Ohio non-profit corporation, whose tax mailing address is 200 St. Clair Street, St. Marys, OH 45885, the following real property:

Situated in the County of Auglaize in the State of Ohio and in the Township of Jackson:

Being the real property will all improvements thereon and more particularly described in Exhibit "A" attached hereto and made a part hereof consisting of one (1) typewritten page; subject to all easements, restrictions and reservations of record and to real estate taxes and assessments becoming due and payable in August, 2010, and thereafter.

Executed this 29th day of July, 2010.
CFHC, Ltd.
By: [Signature]
Gregory A. Bergman, Member
By: [Signature]
Betty Ann Bergman, Member

STATE OF OHIO)
COUNTY OF Auglaize) ss:

BE IT REMEMBERED, That on this 29th day of July, 2010, before me, the subscriber, a Notary Public in and for said State, personally appeared the above named CFHC, LTD, an Ohio limited liability company, by Gregory A. Bergman and Betty Ann Bergman all of its Members, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said company and the free act and deed of them as such Members.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.



TREVA L. SIEGEL, Notary Public
State of Ohio
My Commission Expires July 29, 2011
[Signature]
Notary Public

This instrument Prepared By: James A. Bernhold
Attorney & Counselor at Law
P.O. Box 26, Minster, OH 45865

APR 24 2015

Board of County Commissioners
Auglaize County, Ohio

**ATTACHMENT TO PETITION FOR ANNEXATION FOR
JOINT TOWNSHIP DISTRICT MEMORIAL HOSPITAL TO VILLAGE OF MINSTER**

TACT OF LAND IN TERRITORY PROPOSED FOR ANNEXATION:

<u>Owner</u>	<u>Address</u>	<u>Parcel Number</u>
Joint Township District Memorial Hospital	4423 SR 66	E1402201303

LIST OF TRACTS ADJACENT TO TERRITORY PROPOSED FOR ANNEXATION:

<u>Owner</u>	<u>Address</u>	<u>Parcel Number</u>
Buettner Holdings, LTD	04574 SR 66	E1402201500
A & M Real Estate LLC	Delphos, OH 45833	
	04573 SR 66	E1402201600
	Minster, OH 45865	
Crown Equipment Corporation	04444 SR 66	E1402300402
	New Bremen, OH 45869	
Linscott Properties, LLC	04405 SR 66	E1522100700
	New Bremen, OH 45869	
Linscott Properties, LLC	406 N Main St	E1522700200
	New Bremen, OH 45869	
Vrable Land Holding Minster, LLC	3248 /W Henderson RD	E1522700300
	Columbus, OH 43220	
A & M Real Estate LLC	PO Box 89	E1522700400
	Minster, OH 45865	

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APR 24 1993

EXHIBIT A

Accurate Map or Plat of the Territory Sought to be Annexed

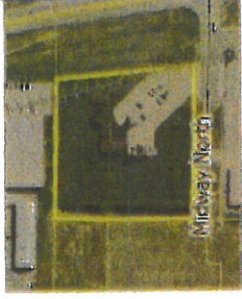
Board of County Commissioners
Auglaize County, Ohio

Data For Parcel E1402201303

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APR 24 2014

Board of County Commissioners
Auglaize County, Ohio



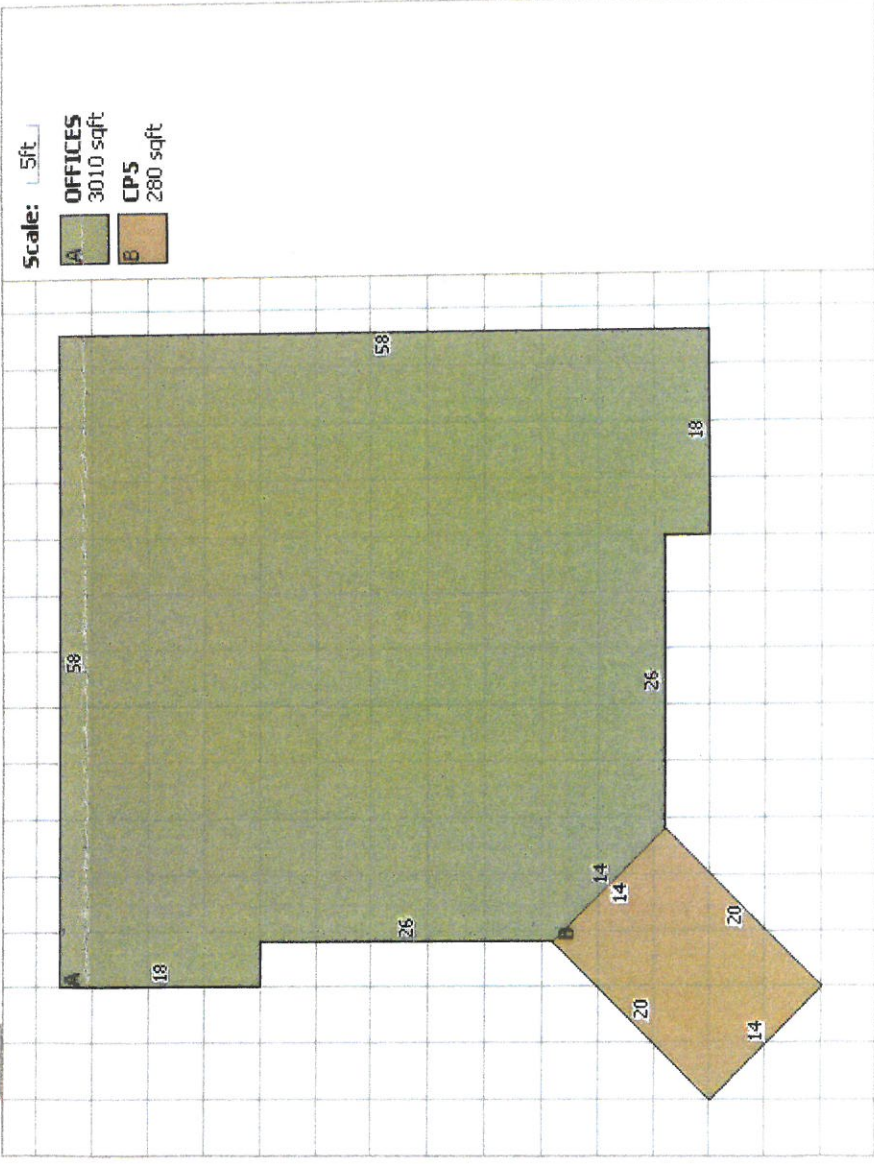
Sketch Data

Parcel: E1402201303
Owner: JOINT TOWNSHIP DISTRICT MEMORIAL HOSPITAL
Address: 4463 SR 66

[+] Map this property.

Sketch

Card: 01

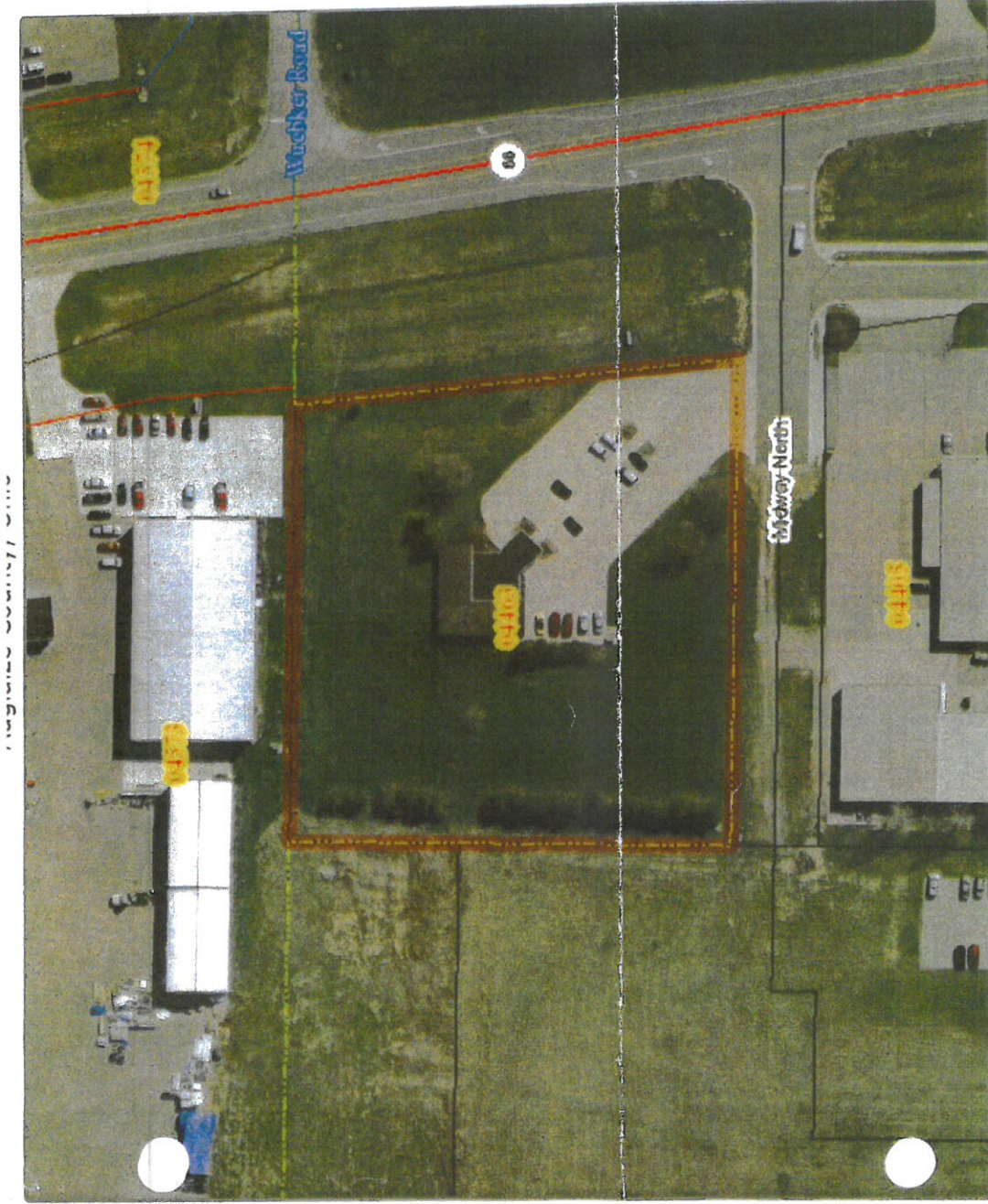


Sketch Labels

No data found for this parcel.

[Report Discrepancy](#)

*GIS parcel shapefile last updated 6/26/2014 3:33:34 PM.
CAMA database last updated 9/4/2014 8:33:52 AM.*



Parcel ID	E1402201303	Assessments	Ditch Maintenance Base
Record Link	Property Record Card	Deed Reference	OR 594-397
CAMA Link	Auditor's Database	Transfer Date	7-29-2010
Owner Name	JOINT TOWNSHIP DISTRICT MEMORIAL HOSPITAL	Section-Town-Range	22-7-4
Parcel Address	04463 SR 66	Neighborhood	C0700042
Legal Description	PT NE SE	Mail Owner	JOINT TWP DISTRICT MEMORIAL HOSPITAL
Acres	3.21	Address 1	200 ST CLAIR ST
Survey	G-680	Address 2	
Flood Cert		Address 3	ST MARYS OH 45885

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification **1 inch = 118 feet** Map Scale

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AUG 24 2016
 Board of County Commissioners
 Auglaize County, Ohio

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APR 24 2015

ANNEXATION AGREEMENT
(Expedited Type One Annexation)

Board of County Commissioners
Auglaize County, Ohio

This Agreement is entered into this 3rd day of March 2015, between the Village of Minster, Ohio (the "Village") and the Board of Township Trustees of Jackson Township, Auglaize County, Ohio (the "Township"), pursuant to R.C. 709.021, 709.022 and 709.192.

WHEREAS, Joint Township District Memorial Hospital (the "Petitioners"), owners of the real estate in the territory hereinafter described (the "Property"), desire to annex the Property into the Village pursuant to the expedited process of annexation set forth in R.C. 709.021 and 709.022; and

WHEREAS, the Village and the Township, by Resolutions duly adopted by their legislative authorities, each have determined that it is in the best interest of all parties involved to enter into this Annexation Agreement (the "Agreement") as provided by R.C. 709.192.

NOW, THEREFORE, in consideration of the above recitals and in consideration of the mutual benefits and promises hereinafter contained, the parties agree as follows:

1. Village Consent and Agreement. The Village consents to the annexation of the Property into the Village and agrees to provide sanitation, police, fire, water and sewer services to the residents of the Property at the same cost and under the same policies and conditions that such services are provided to other residents of the Village.
2. Township Consent. The Township consents to the annexation of the Property into the Village.
3. The Property. The real property subject to this Agreement shall consist of 3.21 acres located in Jackson Township, Auglaize County, Ohio, as depicted on the map attached hereto as Exhibit A. A legal description of the Property is attached hereto as Exhibit B.
4. Tax Distribution. Following the annexation of the Property, the Township will continue to receive real estate tax revenues levied on the Property in accordance with the Ohio Revised Code.
5. Severability. In the event any one or more of the provisions of this Agreement are held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions of this Agreement. Such provisions shall be modified in order to best preserve the intention of the Village and the Township. The Agreement as modified shall remain in full force and effect. If such provisions cannot be so modified, then such provisions shall be severed and the remaining provisions of the Agreement shall remain in full force and effect.
6. Governing Law. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.

APR 24 2013

Board of County Commissioners
of the County of Ohio
7. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Village and the Township, their legal representatives, successors and assigns.

8. Entire Agreement. This Agreement constitutes the entire agreement of the parties and may be amended or modified only through a writing duly executed by the Village/Township as authorized by R.C. § 709.192. All prior agreements between the parties, either written or oral are superseded by this Agreement.

IN WITNESS WHEREOF, the Village and Township have executed this Agreement.

VILLAGE OF MINSTER, OHIO

BOARD OF TOWNSHIP TRUSTEES
OF JACKSON TOWNSHIP, AUGLAIZE
COUNTY, OHIO

By: Dennis Kitzmiller
Dennis Kitzmiller, Mayor

By: James Albers
James Albers, Trustee

Attest: John Stechsulte
John Stechsulte, Clerk

By: Ken Sommer
Ken Sommer, Trustee

By: Carl Albers
Carl Albers, Trustee

APPROVED AS TO LEGAL FORM:

By: James Hearn
James Hearn
Solicitor, Village of Minster, Ohio

County Commissioners Office
Auglaize County, Ohio
April 28, 2015

NO. 15-189

IN THE MATTER OF AUTHORIZING THE CONTINUANCE/TERMINATION OF TAX INCENTIVE AGREEMENTS WITHIN THE ACTIVE ENTERPRISE ZONES LOCATED IN THE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of April, 2015.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to the Ohio Revised Code Section 5709.68, the status of all enterprise zone activities are to be reviewed by the Tax Incentive Review Councils (TIRC) for those communities having established enterprise zones; and,

WHEREAS, Tax Incentive Review Council meetings for all active Enterprise Zones within the County have been completed by various review council members; and,

WHEREAS, minutes of each tax incentive agreement review meeting, along with a recommendation of the TIRC from each Enterprise Zone Review Council meeting has been received; same being submitted by County Auditor Janet Schuler.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby make the minutes of Tax Incentive Review Council meetings with Wapakoneta City, St. Marys City, and New Bremen, along with the recommendations of Auglaize County TIRC for each tax incentive agreement's continuance/termination a part of this Resolution; and,

BE IT FURTHER RESOLVED that said Board of County Commissioners does hereby authorize the continuance/termination of each Tax Incentive Agreement as follows:

Wapakoneta City Enterprise Zone: Kantner Ingredients/IDI, INC.	Expired	St. Marys City Enterprise Zone: AAP (2006) Murtech Ohio Corp. (2004)	Continue Continue
New Bremen Village Enterprise Zone: Safeway Building	Continue		

Commissioner Bergman seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
28th day of
April, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, ye
Douglas A. Spencer
Don Regula, ye
Don Regula
John N. Bergman, ye
John N. Bergman

cc: Village of New Bremen – Angela Hamberg
County Auditor – Janet Schuler
St. Marys City – Susan Crotty

City of Wapakoneta – Greg Myers
Companies with tax incentive agreements