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(419) 738-3011
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Director of Public Service and Safety
(419) 738-3011
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RECEIVED

JUL 17 2020

Board of County Commissioners
Auglaize County, Ohio

PETITION FOR ANNEXATION

To: The Board of Commissioners of Auglaize County, State of Ohio:

The City of Wapakoneta, Ohio respectfully represents that by the Ordinances attached hereto, its Council has authorized the annexation of certain property to the City of Wapakoneta.

Ordinance 2020-31, attached hereto as "Exhibit 1," authorizes the annexation of land owned by the City of Wapakoneta that is contiguous to the City of Wapakoneta. "Exhibit A" to Ordinance 2020-31 contains the legal descriptions of all said territory proposed to be annexed.

Ordinance 2020-34, attached hereto as "Exhibit 2," also authorizes the annexation of land owned by the City of Wapakoneta that is contiguous to the City of Wapakoneta. "Exhibit A" to Ordinance 2020-31 contains the legal descriptions of all said territory proposed to be annexed.

The City of Wapakoneta is the only owner of the territory described in Ordinances 2020-31 and 2020-34.

The City of Wapakoneta, therefore, respectfully petitions that the territory be annexed to the City of Wapakoneta pursuant to law as authorized by Ohio Revised Code §§ 709.14; 709.15, and 709.16.

Dated: July 17, 2020

J. Grant Neal, Wapakoneta City Director of Law
701 Parlette Court
Wapakoneta, Ohio 45895
419-227-4752
gneal@wapakoneta.net
Reg. NO: 0099305



701 Parlette Court

ORDINANCE 2020-31

AN ORDINANCE AUTHORIZING ANNEXATION OF UNINCORPORATED PROPERTY OWNED BY THE CITY OF WAPAKONETA AND DECLARING AN EMERGENCY

FIRST READ	SECOND READ	THIRD READ	SUSPEND		ADOPT	
			YES	NO	YES	NO
6-15-20			✓			✓
			✓			✓
			✓			✓
			✓			✓
			✓			✓
			✓			✓
			✓			✓
			7	0	7	0

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Board of County Commissioners
Auglaize County, Ohio

WHEREAS, the City of Wapakoneta owns real estate which is contiguous to the municipal boundaries hereinafter described located in Sections 8 and 9 of Pusheta Township, Auglaize County, Ohio; and

WHEREAS, the City desires to annex said contiguous real estate into the City of Wapakoneta pursuant to ORC § 709.14, 709.15 and 709.16.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Wapakoneta, County of Auglaize, State of Ohio:

SECTION ONE

THAT, the annexation of the property more fully described on attached Exhibit "A" be, and hereby is, authorized.

SECTION TWO

THAT, the City Director of law is hereby authorized to prosecute the proceedings necessary to effect such annexation.

SECTION THREE

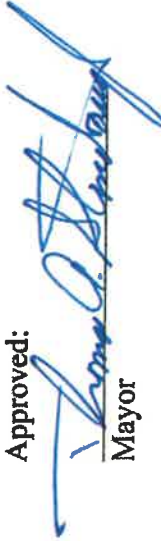
THAT, this Ordinance is hereby declared to be an emergency measure, it being for the protection, safety and welfare of the citizens of Wapakoneta and for further reason that the timeline for the conveyance, sale, and transfer of the property to the third party purchaser dictates the need for immediate action and that, therefore, this Ordinance shall go into immediate effect.

Attest:

Clerk of Council

Passed this 15th day of June, 2020


President of Council

Approved:

Mayor

Approved as to form:

City Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO AND APPEARED IN ITS ISSUES OF 6-18-2020 AND 6-25-2020.


CLERK OF COUNCIL



EXHIBIT A

PROP. ROADWAY CROSSING: APPROX
AREA TO INSTALL TUB CROSSING SYSTEM
USING OMNI TRACAST CROSSING PRECAST
CONCRETE CONCRETE MODULES

NOTES:
 CONTRACTOR TO COORDINATE ALL WORK WITH THE
 OWNER AS NEEDED/REQUIRED.

UTILITY NOTES:
 CONTRACTOR TO VERIFY EXACT TIMING OF WORK TO
 BE PERFORMED WITH THE OWNER PRIOR TO THEM
 BEING PERFORMED. CERTAIN TRACKS MAY NEED TO BE
 KEPT IN OPERATION AS LONG AS POSSIBLE WITH
 MINIMAL DOWNTIME. OWNER TO DETERMINE TIMING AND
 PHASING OF ALL WORK WITH CONTRACTOR.

**CONTRACTOR TO VERIFY EXACT LOCATION, DEPTH AND
 SIZE OF UTILITIES PRIOR TO CONSTRUCTION. IF
 CONTRACTOR SHALL NOTIFY OWNER OF ANY CONFLICTS
 PRIOR TO THE INSTALLATION OF UTILITIES.**

GRADING NOTE:
 CONTRACTOR TO THE INTO EXISTING SITE AND EXISTING
 PAVEMENT ELEVATIONS AS REQUIRED WHERE EVER
 PROPOSED SITE GRADING WORK ABUTS UP TO EXISTING
 SITE GRADES AND PAVEMENT TO ENSURE A SMOOTH
 TRANSITION. ALL EXISTING ELEVATIONS GIVEN ARE
 APPROXIMATED AND SHALL BE FIELD VERIFIED.

**CONTRACTOR SHALL ALSO ENSURE THAT A SMOOTH
 TRANSITION IS PROVIDED WHERE EVER PROPOSED
 GRADES MEET EXISTING GRADES THROUGHOUT THE SITE.**

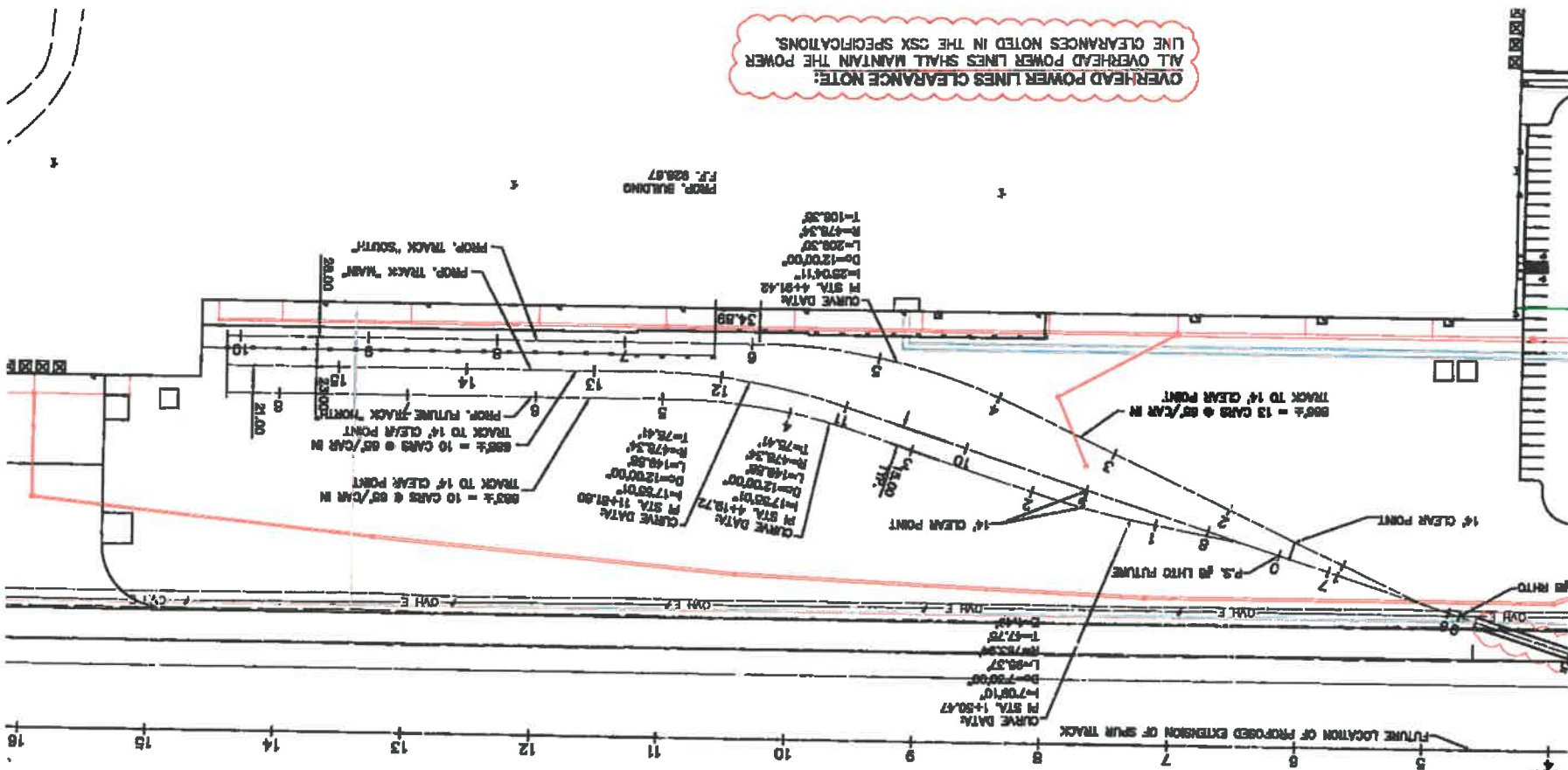
**INSTALLATION SHALL BE PER THE MANUFACTURERS SPECIFICATIONS
 AND INSTALLATION GUIDE. CONTRACTOR SHALL BE RESPONSIBLE FOR
 ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY FOR A COMPLETE
 WORK FITS PROPERLY.**

**EXACT AREA AND DIMENSIONS OF TUB CROSSING SYSTEM
 AND PRECAST CONCRETE MODULES TO BE DETERMINED IN
 THE FIELD AND APPROVED BY THE OWNER PRIOR TO
 ORDERING PRECAST CONCRETE MODULES.
 CONTRACTOR SHALL SUPPLY AND INSTALL TUB CROSSING SYSTEM
 USING OMNI TRACAST CROSSING PRECAST CONCRETE
 MODULES INCLUDING ALL COMPONENTS OF TUB CROSSING SYSTEM
 AND ALL PRECAST CONCRETE MODULES REQUIRED FOR THE PROJECT.
 PRECAST MODULES SHALL BE MADE BY OMNI PRODUCTS INC.
 MODULES SHALL BE CUSTOM MADE AS REQUIRED, IF REQUIRED,
 CONTRACTOR SHALL COORDINATE WITH OMNI TO VISIT THE SITE AND
 OBTAIN THE NEEDED MEASUREMENTS OF THE TRACKS AND
 SURROUNDING AREA IN ORDER FOR THE MODULES TO BE
 PREFABRICATED TO ENSURE PROPER FIT. IT IS THE CONTRACTORS
 RESPONSIBILITY TO ENSURE THAT ALL ITEMS SUPPLIED ARE THE
 CORRECT ITEMS FOR THE PROPOSED WORK. ALL WORK AND
 INSTALLATION SHALL BE PER THE MANUFACTURERS SPECIFICATIONS
 AND INSTALLATION GUIDE. CONTRACTOR SHALL BE RESPONSIBLE FOR
 ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY FOR A COMPLETE
 AND FUNCTIONAL INSTALLATION AND TO ENSURE ALL MODULES AND
 WORK FITS PROPERLY.**

192
CITY SPUR
2



GRADES MEET EXISTING GRADES THROUGHOUT THE SITE.



OVERHEAD POWER LINES CLEARANCE NOTE:
 ALL OVERHEAD POWER LINES SHALL MAINTAIN THE POWER
 LINE CLEARANCES NOTED IN THE CSX SPECIFICATIONS.

PRATT BOX PLANT SITE PLAN CITY OF WAPAKONETA RAIL SPUR SCHEMATIC PLAN

ENGINEER
 CHOICE ONE ENGINEERING
 2607 WADE BLVD
 PORTLAND, OHIO 43150-1504
 614.885.8888
 WWW.CHOICEONEENGINEERING.COM



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Board of County Commissioners
 Auglaize County, Ohio

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

**LEGAL DESCRIPTION
TRACT 1 - 31.175 ACRES**

BEING PART OF PARCEL 12500800800, A 55.677-ACRE TRACT OF LAND OWNED BY VITA HOLDINGS, LLC AS CONVEYED IN OFFICIAL RECORD 661, PAGE 94 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 8, TOWN 6 SOUTH, RANGE 6 EAST, PUSHETA TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the northwest corner of the southwest quarter of the southwest quarter of Section 4 and being on the centerline of Short Road;

thence, South 00°-41'-48" West, 1333.23 feet, along the west line of the southwest quarter of the southwest quarter of Section 4 to a concrete post found at the northeast corner of the northeast quarter of Section 8 and being the southwest corner of a 72.934-acre tract of land owned by South Dixie-Short Road Trust as conveyed in Official Record 689, Page 2068 and being on west line of a 1.149-acre tract of land owned by the City of Wapakoneta, Ohio as conveyed in Official Record 683, Page 1350 and being the principal place of beginning of the tract herein conveyed;

thence, South 01°-10'-21" West, 265.22 feet, along the west line of said 1.149-acre City of Wapakoneta tract and the east line of the northeast quarter of Section 8 to an iron pin found at the northeast corner of a 1.55-acre tract of land owned by the City of Wapakoneta, Ohio as conveyed in Official Record 692, Page 1821;

thence, North 89°-01'-24" West, 150.00 feet, along the north line of said 1.55-acre City of Wapakoneta tract to an iron pin found;

thence, South 01°-10'-21" West, 450.00 feet, along the west line of said 1.55-acre City of Wapakoneta tract to an iron pin found on the north line of a 87.639-acre tract of land owned by Pratt Paper (OH), LLC as conveyed in Official Record 683, Page 2010;

thence, North 89°-01'-24" West, 1458.61 feet, along the north line of said Pratt Paper tract to an iron pin found at the southeast corner of a 2.338-acre tract of land owned by City of Wapakoneta, Ohio as conveyed in Official Record 571, Page 1708;

thence, North 00°-58'-36" East, 200.00 feet, along the east line of said 2.338-acre City of Wapakoneta tract to an iron pin found;

thence, North 89°-01'-36" West, 273.72 feet, along the north line of said 2.338-acre City of Wapakoneta tract to an iron pin found;

thence, on a curve to the right with a radius of 673.69 feet, an arc distance of 252.93 feet, a delta angle of 30°-35'-35", and a chord bearing North 73°-43'-37" West, 249.93 feet, along the north

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Board of County Commissioners
Auglaize County, Ohio

line of said 2.338-acre City of Wapakoneta tract to a Mag nail found on the centerline of County Road 25-A, passing for reference an iron pin with cap set at 96.54 feet;

thence, North 05°-07'-57" West, 454.83 feet, along the centerline of County Road 25-A to a Mag nail found on the north line of said Section 8 and being on the south line of Section 5;

thence, South 88°-56'-43" East, 2174.26 feet, along the north line of said Section 8 and south line of said Section 5 to the principal place of beginning.

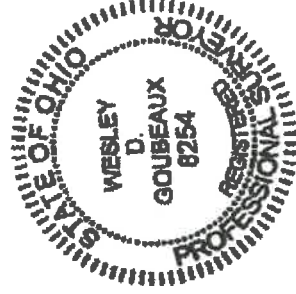
Containing 31.175 acres more or less with 0.741 acres more or less being within existing road right-of-way and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 2, 2020.

All iron pins set are 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, FS #8254



03/02/2020
Date

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Board of County Commissioner
Auglaize County, Ohio

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Board of County Commissioners
Auglaize County, Ohio

**LEGAL DESCRIPTION
TRACT 2 - 54.732 ACRES**

BEING PARCEL I2500800800, A TRACT OF LAND OWNED BY JOHN P. KNU EVE AS CONVEYED IN OFFICIAL RECORD 659, PAGE 957 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHWEST QUARTER OF SECTION 9, TOWN 6 SOUTH, RANGE 6 EAST, PUSHETA TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the northwest corner of the southwest quarter of the southwest quarter of Section 4 and being on the centerline of Short Road;

thence, South 00°-41'-48" West, 1333.23 feet, along the west line of the southwest quarter of the southwest quarter of Section 4 to a concrete post found at the northeast corner of the northeast quarter of Section 8 and being at the northwest corner of the northwest quarter of Section 9 and being on the north line of a 1.149-acre tract of land owned by the City of Wapakoneta as conveyed in Official Record 683, Page 1350;

thence, South 89°-17'-35" East, 70.00 feet, along the north line of said northwest quarter of Section 9 and said 1.149-acre City of Wapakoneta tract to an iron pin found at the southwest corner of a 29.535-acre tract of land owned by John P. Knueve as described in Official Record 659, Page 960 and being the principal place of beginning of the tract herein conveyed;

thence, South 89°-17'-35" East, 2550.66 feet, along the north line of said northwest quarter of Section 9 and the south line of said 29.535-acre Knueve tract to an iron pin with cap set on the west line of a tract of land owned by Carol and Donald Heidt and Donald L. and Mary E. Rohrbaugh as conveyed in Official Record 652, Page 310;

thence, South 00°-56'-31" West, 1328.00 feet, along the west line of said Heidt and Rohrbaugh tract to an iron pin found on the north line of a 78.75-acre tract of land owned by Vita Holdings, LLC as conveyed in Official Record 661, Page 94;

thence, North 89°-23'-50" West, 899.61 feet, along the north line of said 78.75-acre Vita Holdings tract to an iron pin wound on the west line of a 24.238-acre tract of land owned by Pratt Paper (OH), LLC as conveyed in Official Record 683, Page 2010;

thence, North 00°-58'-36" East, 606.31 feet, along the west line of said 24.238-acre Pratt Paper tract to an iron pin found;

thence, North 89°-01'-24" West, 1654.29 feet, along the north line of said 24.238-acre Pratt Paper tract to an iron pin found on the east line of said 1.149-acre City of Wapakoneta tract;

thence, North 01°-10'-21" East, 715.55 feet, along the east line of said 1.149-acre City of Wapakoneta tract to the principal place of beginning.

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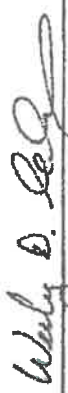
Board of County Commissioners
Franklin County, Ohio

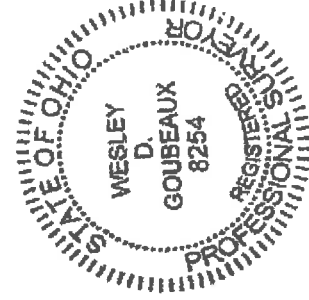
Containing 54.732 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 2, 2020.

All iron pins set arc 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, PS #8254



03/02/2020
Date

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Board of County Commissioners
Augusta County, Ohio

LEGAL DESCRIPTION
TRACT 3 - 14.685 ACRES

BEING PART OF PARCEL 12500900200, A 78.75-ACRE TRACT OF LAND OWNED BY VITA HOLDINGS, LLC AS CONVEYED IN OFFICIAL RECORD 661, PAGE 94 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHWEST QUARTER OF SECTION 9, TOWN 6 SOUTH, RANGE 6 EAST, PUSHETA TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the northwest corner of the southwest quarter of the southwest quarter of Section 4 and being on the centerline of Short Road;

thence, South 00°-41'-48" West, 1333.23 feet, along the west line of the southwest quarter of the southwest quarter of Section 4 to a concrete post found at the northeast corner of the northeast quarter of Section 8 and being at the northwest corner of the northwest quarter of Section 9 and being on the west line of a 1.149-acre tract of land owned by the City of Wapakoneta as conveyed in Official Record 683, Page 1350;

thence, South 01°-10'-21" West, 1332.80 feet, along the west line of said northwest quarter of Section 9 and west line of said 1.149-acre City of Wapakoneta tract to an iron pin found at the southwest corner of a 24.238-acre tract of land owned by Pratt Paper (OH), LLC as conveyed in Official Record 683, Page 2010;

thence, South 89°-23'-50" East, 1726.44 feet, along the south line of said 24.238-acre Pratt Paper tract to an iron pin found on the south line of a 79.390-acre tract of land owned by John P. Knueve as conveyed in Official Record 659, Page 957 and being the principal place of beginning of the tract herein conveyed;

thence, South 89°-23'-50" East, 919.61 feet, along the south line of said 79.390-acre Knueve tract to an iron pin found on the west line of a 104.99-acre tract of land owned by G.A. Wintzer and Sons Company as conveyed in Official Record 499, Page 2618 and being the east line of said northwest quarter of Section 9;

thence, South 00°-59'-43" West, 698.69 feet, along the east line of said northwest quarter of Section 9 and the west line of said G.A. Wintzer tract to an iron pin set on a new division line;

thence, North 89°-01'-24" West, 919.37 feet, along the new division line to an iron pin found on the north right-of-way line of Leon Pratt Drive and being the southeast corner of an 87.639-acre tract of land owned by Pratt Paper (OH), LLC as conveyed in Official Record 683, Page 2010;

thence, North 00°-58'-36" East, 692.69 feet, along the east line of said 87.639-acre Pratt Paper tract to the principal place of beginning.

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Board of County Commissioners
County of Cuyahoga, Ohio

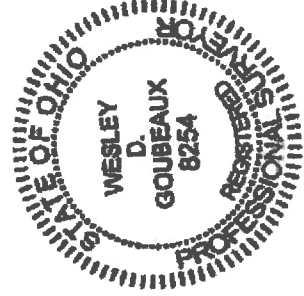
Containing 14.685 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 2, 2020.

All iron pins set are 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, PS #8254



03/02/2020
Date

ORDINANCE 2020-34

AN ORDINANCE AUTHORIZING ANNEXATION OF UNINCORPORATED PROPERTY OWNED BY THE CITY OF WAPAKONETA AND DECLARING AN EMERGENCY

FIRST READ	SECOND READ	THIRD READ	SUSPEND		ADOPT	
			YES	NO	YES	NO
7-6-20			✓		✓	
			✓		✓	
			✓		✓	
				ABSENT		
			✓		✓	
			✓		✓	
			✓		✓	
			6	0	6	0

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JUL 17 2020

Board of County Commissioners
Auglaize County, Ohio

WHEREAS, the City of Wapakoneta owns real estate which is contiguous to the municipal boundaries hereinafter described located in Sections 8 and 9 of Pusheta Township, Auglaize County, Ohio; and

WHEREAS, the City desires to annex said contiguous real estate into the City of Wapakoneta pursuant to ORC § 709.14, 709.15 and 709.16.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Wapakoneta, County of Auglaize, State of Ohio:

SECTION ONE


THAT, the annexation of the property more fully described on attached Exhibit "A" be, and hereby is, authorized.


SECTION TWO

THAT, the City Director of law is hereby authorized to prosecute the proceedings necessary to effect such annexation.

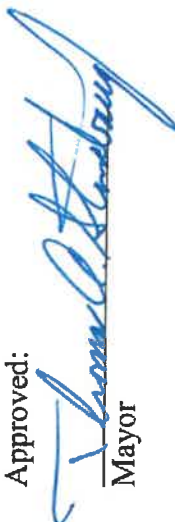
SECTION THREE

THAT, this Ordinance is hereby declared to be an emergency measure, it being for the protection, safety and welfare of the citizens of Wapakoneta and for further reason that the timeline for the conveyance, sale and transfer of the property to the third party purchaser dictates the need for immediate action and that, therefore, this Ordinance shall go into immediate effect.

Attest: 
Clerk of Council


President of Council

Passed this 6th day of July, 2020

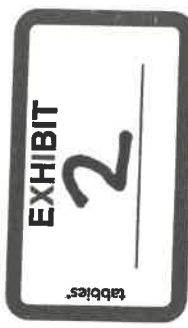
Approved: 
Mayor

Approved as to form: 
City Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO AND APPEARED IN ITS ISSUES OF 7-9-20 AND

7-16-20

CLERK OF COUNCIL



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JUL 17 2020

Board of County Commissioners
Auglaize County, Ohio

EXHIBIT A

**LEGAL DESCRIPTION
6.752-ACRES**

BEING PART OF PARCEL I2500502001, A 72.934-ACRE TRACT OF LAND OWNED BY SOUTH DIXIE-SHORT ROAD TRUST AS CONVEYED IN OFFICIAL RECORD 689, PAGE 2068 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE SOUTHEAST QUARTER OF SECTION 5, TOWN 6 SOUTH, RANGE 6 EAST, PUSHETA TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the northeast corner of the south half of the southeast quarter of Section 5 and being on the centerline of Short Road;

thence, North 89°-01'-10" West, 2310.15 feet, along the north line of said south half of the southeast quarter of Section 5 and centerline of Short road to a railroad spike found at the intersection of the centerline of County Road 25A and being the principal place of beginning of the tract herein conveyed;

thence, South 05°-07'-57" East, 1338.01 feet, along the centerline of County Road 25A to a Mag nail found at the northeast corner of a 5.372-acre tract of land owned by the City of Wapakoneta as conveyed in Official Record 570, Page 2105;

thence, North 88°-56'-43" West, 244.66 feet, along the north line of said 5.372-acre City of Wapakoneta tract to an iron pin found on the east line of the CSX Railroad, passing for reference an iron pin with cap set at 55.32 feet;

thence, North 03°-07'-18" West, 1333.50 feet, along the east line of said CSX Railroad to a Mag nail found on the north line of said south half of the southeast quarter of Section 5 and centerline of Short Road, passing for reference an iron pin found at 1313.45 feet;

thence, South 89°-01'-10" East, 197.56 feet, along the north line of said south half of the southeast quarter of Section 5 to the principal place of beginning.

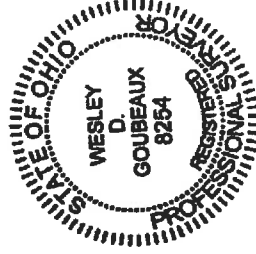
Containing 6.752 acres more or less with 1.830 acres more or less being within existing road right-of-way and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated June 16, 2020.

All iron pins set are 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, PS #8254



06/16/2020
Date

IN THE MATTER OF ACCEPTING THE RESIGNATION OF COLLIN M. MERRELL AS THE AUGLAIZE COUNTY DELINQUENT TAG ENFORCEMENT OFFICER/ASSISTANT DOG WARDEN FOR THE AUGLAIZE COUNTY DOG WARDEN.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of July, 2020.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, Collin Merrell, Auglaize County Delinquent Tag Enforcement Officer/Assistant Dog Warden, submitted the following correspondence to the Board of County Commissioners:

July 16, 2020

Respectfully, on 16 July 2020, this Auglaize County Deputy Dog Warden, Collin M. Merrell, does hereby resign from my appointment and duties. Due to my fulltime schedule I am no longer able to provide the time and quality of work to the Auglaize County Deputy Dog Warden Office that is needed to successfully carry out my appointment.

Respectfully submitted,
s/Collin M. Merrell
Collin M. Merrell

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Auglaize County does hereby accept the resignation of Collin M. Merrell as Auglaize County Delinquent Tag Enforcement Officer/Assistant Dog Warden; same to be effective at 11:59:00 p.m., July 16, 2020; and,

BE IT FURTHER RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does commend Auglaize County Delinquent Tag Enforcement Officer/Assistant Dog Warden for his faithfulness and dedication to the citizenry of Auglaize County, and does further, extend its best wishes to him in his future endeavors.

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

Adopted this
21st day of
July, 2020

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman ye

Douglas A. Spencer
Douglas A. Spencer ye

Don Regula
Don Regula ye

✓cc: Collin Merrell
✓ Dog Warden
✓ Auditor

IN THE MATTER OF GRANTING AN ANNEXATION OF 0.088 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW KNOXVILLE FROM WASHINGTON TOWNSHIP; PETITIONED BY AUGLAIZE COUNTY COMMISSIONERS; FILED BY ERICA L. PRESTON, AGENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of July, 2020.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, on July 17, 2020, a petition for annexation of 0.088 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Erica L. Preston named as Agent for petitioners Auglaize County Commissioners; and,

WHEREAS, the requirements for the filing of said petition were all met by Agent Preston, 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 New Knoxville and Washington Township as provided for in ORC 709.192.

and,

WHEREAS, the petitioners 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 0.088 acres, more or less, to the Village of New Knoxville as petitioned by Auglaize County Commissioners pursuant to ORC Section 709.022.

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

Adopted this
21st day of
July, 2020

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman yes
John N. Bergman
Douglas A. Spencer yes
Douglas A. Spencer
Don Regula yes
Don Regula

cc: County Auditor
✓ County Engineer
✓ Erica L. Preston, Agent
✓ Washington Township Trustees
✓ Village of New Knoxville

RECEIVED
JUL 17 2023
Board of County Commissioners
Auglaize County, Ohio

Annexation Petition
Expedited 1 – ORC Section 709.022

The undersigned, Auglaize County Commissioners hereby referred to as Petitioners, are owners of 100% of the following real property located in the Township of Washington, County of Auglaize and State of Ohio, to wit:

See attached Exhibits “A” and “B”.

Parcel No. M36-029-004-01

The owners of the real estate to be annexed and their mailing address are:

1. Auglaize County Commissioners
209 S. Blackhoof Street, Room 201
Wapakoneta, OH 45895

Petitioners represent that they are One Hundred Percent (100%) of the owners of the property described above.

Petitioners therefore petition to annex their property to the Village of New Knoxville from the Township of Washington pursuant to Ohio Revised Code Section 709.022. The petitioners represent that property is not unreasonably large and that on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the petition is granted.

Attached to this petition is a signed annexation agreement of the Village of New Knoxville, 101 S. Main Street, P.O. Box 246, New Knoxville, Ohio and Washington Township.

The undersigned hereby appoints and designates, Erica L. Preston, as agent for the petitioners, Wapakoneta, OH 45895.

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

[Remainder of page intentional left blank]

Annexation Petition

Expedited 1 – ORC Section 709.022

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Parcel No. M36-291-004-01

ELP
1-21-2020

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1. Auglaize County Commissioners
209 S. Blackhoof Street, Room 201
Wapakoneta, OH 45895

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[Remainder of page intentional left blank]

Auglaize County Commissioners
209 S. Blackhoof Street, Room 201

7-14-2020

Date

John N. Bergman

John N. Bergman

7-14-2020

Date

Douglas A. Spencer

Douglas A. Spencer

7-14-2020

Date

Don Regula

Don Regula

I hereby accept the designation as agent for petitioners, dated this 17th day of July, 2020.

Erica L. Preston

Erica L. Preston
Agent for Petitioners
209 S. Blackhoof Street, Room 201
Wapakoneta, OH 45895
419-739-6710
419-739-6711 (fax)

PARID	OWNER	MAIL_OWNER	PADDR1	PADDR2	PADDR3
M3929100500	BOARD OF COMMISSIONERS AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3929100410	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3929100400	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY				
M3901416000	KITTEL, MICHAEL & ANGELA	KITTEL MICHAEL & ANGELA M	323 E SPRING ST		NEW KNOXVILLE OH 45871
M3901400200	HOGUE, BRIAN A. & KRISTA D.	HOGUE BRIAN A & KRISTA D	411 E SOUTH ST		NEW KNOXVILLE OH 45871
M3629100401	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE COUNTYBD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900904	BOARD OF COUNTY COMMISSIONERS	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM201		WAPAKONETA OH 45895
M3602900903	BOARD OF AUGLAIZE COUNTY COMMISSIONERS	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900801	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900500	BOARD OF COMMISSIONERS AUGLAIZE COUNTY				
M3602900410	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900409	BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900302	AUGLAIZE COUNTY COMMISSIONERS	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602900200	EGBERT LAND COMPANY, LLC	EGBERT LAND COMPANY LLC	10684 WRESTLE CREEK RD		WAPAKONETA OH 45895
M3602800300	BOARD COUNTY COMMISSIONERS OF AUGLAIZE COUNTY	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895
M3602800100	AUGLAIZE COUNTY COMMISSIONERS	AUGLAIZE CO BD OF COMMISSIONERS	209 S BLACKHOOF ST RM 201		WAPAKONETA OH 45895

**Washington Township – Village of New Knoxville
Annexation Agreement**

This Annexation Agreement (this “*Agreement*”) is made at Auglaize County, Ohio, by and between the Board of Trustees for Washington Township, Auglaize County, Ohio (hereinafter referred to as “*Township*”), whose mailing address is 10631 Kettlersville, Road, New Knoxville, Ohio 45871, and the Village of New Knoxville (hereinafter referred to as “*Village*”), whose mailing address is 101 S. Main Street, P.O. Box 246, New Knoxville, Ohio 45871.

WITNESSETH:

WHEREAS, Township and Village desire to establish an Annexation Agreement, as permitted under Ohio Revised Code Section 709.192 for the development of certain real property (hereinafter referred to as “*Property*”), as more fully described in Exhibit A, attached hereto which property is situated in Township and fully owned by the Auglaize County Board of Commissioners (the “*County*”); and

WHEREAS, the foregoing described Property is proposed for annexation to Village from Township; and

WHEREAS, Township and Village are desirous of entering into an annexation agreement which contemplates that the Property will be annexed into the Village, with provisions for allocation and/or sharing of tax revenues, and the cooperation for provision of other services to the Property; and

WHEREAS, both Township and Village residents will benefit from the provisions of this Agreement; and

WHEREAS, Township has agreed to enter into this Agreement, pursuant to a Resolution dated July 14, 2020, and effective the 14th day of July, 2020, and the Village has agreed to enter into this Agreement by Ordinance No. 0-2020-07-02 effective the 8th day of July, 2020;

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, and pursuant to the Ohio Revised Code, the parties agree as follows:

ARTICLE 1

THE PROPERTY

The Property shall consist of a certain 0.088 acre parcel owned exclusively by the County located in Washington Township, Auglaize County, Ohio as further described in Exhibit A, a map depicting said Property, which is incorporated herein by reference. The Property described in Exhibit A may only be amended by written agreement of the parties to this Agreement and the County.

ARTICLE 2

ANNEXATION

A. The parties contemplate that the Property shall be annexed into the Village pursuant to and subject to the requirements of the Ohio Revised Code Chapter 709. Township agrees that the annexation of the Property may occur in one proceeding, or in several separate proceedings, in the discretion of the Village, and when the effected by the County as the Property owner. In the event of the failure of the annexation of the Property, this Agreement shall be null and void.

B. In the event of any annexation of the Property into the Village, it is agreed that the Property shall be treated for tax purposes the same as all other parts of the Village located within Washington Township following the approval and acceptance of the annexation. The Township and Village shall fully cooperate with the State and Auglaize County officials to create an additional taxing district, if necessary.

ARTICLE 3

COOPERATION OF THE TOWNSHIP

A. Township hereby assents to the annexation of the Property to Village. Township further agrees to authorize its designated representative to sign any petitions prepared by Village or its agents to agree to the annexation of any roadways or other property owned by it within the Property area.

B. Township further agrees at the written request of the Village, to appear at any hearings before the County and assist the Village in the annexation of the Property, including providing testimony under oath that Township agrees to the annexation, if necessary.

C. Township waives any objections to said annexation and waives any rights it may have to contest such annexation, including rights of appeal or injunctive relief, including but not limited to, any rights it may have under Section 709.07 or Chapter 2506 of the Ohio Revised Code.

ARTICLE 4

ALLOCATION OF TAX REVENUES; DURATION

A. This Agreement is intended to provide Village, with the same allocation of tax revenues for the Property being annexed as all other portions of the Village located within Washington Township.

B. The tax revenues shall be prorated through the date of annexation of the Property.

ARTICLE 5

POST ANNEXATION GOVERNMENTAL SERVICES

- A. Upon annexation, Village shall be solely responsible for the zoning of the Property.
- B. Village shall provide to the Property the following municipal services: fire and police protection, waste collection, building and code regulations, civil engineering, traffic engineering, street and road maintenance and repair, parks and recreation, fair employment, fair housing, community development and planning, housing inspection, health and environmental services, economic development and water and sanitary sewer services and municipal electric services, with cost being allocated pursuant to normal Village procedures. The parties agree that the Property is entitled to standard governmental services by Village in the same manner such services are provided to other areas of Village.
- C. The parties agree that the Property is entitled to standard fire protection and emergency medical services by Village and Township in the manner such services are provided to other areas of Village and Township.
- D. Village shall not require any Township representative, Township employee, school or non-profit organization to sign an annexation proxy or consent as a condition precedent to obtaining water service.
- E. All roadways within the Property that will have been the Township's responsibility to maintain and improve but for the annexation shall become the responsibility of Village to maintain and improve. This shall include routine road and street maintenance, including snowplowing, repairing of chuckholes and signage. This shall also include the cost of road capital improvements.

ARTICLE 6

MEDIATION AND NOTICE OF CLAIMED BREACH

In the event the parties have a dispute as to any of the terms or to the applicability of this Agreement, the parties agree to use their best efforts to resolve the dispute through a mutually acceptable mediation process or, if they are unable to agree, to utilize whatever mediation process may then be in existence and used by the Auglaize County Common Pleas Court. Each party retains all legal rights available to them under this Agreement and under the law.

ARTICLE 7

MUNICIPAL POWER

Nothing in this Agreement shall be construed to be in derogation of the powers granted to municipal corporations by Article XVIII of the Ohio Constitution.

ARTICLE 8

MODIFICATION

This Agreement may not be modified except by official legislative action of both Village and Township.

ARTICLE 9

LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provision of this Agreement. The titles of the Articles of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement.

ARTICLE 10

PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the entire agreement of the parties and supersedes any prior understandings, or previous oral or written agreements between the parties respecting the subject matter of this Agreement.

ARTICLE 11

GOVERNING LAW

This Agreement, and all the rights, duties and obligations of Village and Township, shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Auglaize County, Ohio.

ARTICLE 12

ASSIGNMENT

This Agreement shall be binding upon and inure to the benefit of the parties, their agents, servants, officials, trustees, employees, representatives, assigns and successors.

[Remainder of Page Intentionally Left Blank]

In Witness Whereof, this Annexation Agreement is executed, in duplicate, at Auglaize County, Ohio, on the date set forth below.

The Village of New Knoxville

By: 

Its Mayor: Keith Leffel

Date: 7-17-2020


The Board of Trustees For
Washington Township

By: 

By: 

By: 

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


Village Solicitor



County Prosecutor

Exhibit A

See Attached

AUGLAIZE COUNTY ENGINEER'S OFFICE

37° E. Box 92, 1014 South Main Street

Wapakoneta, Ohio 45395

Telephone No: 419-739-6520

Fax No: 419-739-6321

Andrew Baumer, P.E., S.I.
Ross Wuebker, P.E., S.I.

Douglas P. Reinhart, P.E., P.S.
County Engineer

**DESCRIPTION FOR THE ANNEXATION TO THE VILLAGE OF NEW
KNOXVILLE PART OF NEIL ARMSTRONG AIRPORT TERMINAL
BUILDING (PRIOR INSTRUMENT VOL. 196 PAGES 962-977)**

The following described tract of land is part of Parcel Number M36-291-004-01 located in the N.E. Quarter of Section 29, Town 6 South, Range 5 East, Washington Township, Auglaize County, Ohio and is more particularly described as follows:

Commencing at a R.R. Spike (found) at the Northeast corner of the Northeast Quarter of Section 29 and in the intersection of the centerlines of State Route 219 and Township Road 91 (Cook Rd.);

Thence N. 89°-45'-00" W. along the centerline of State Route 219 and the North line of the Northeast Quarter of Section 29, a distance of 249.91 feet to a R.R. Spike (found)

Thence traversing along the existing Corporation line as listed below

Thence S. 01°-21'-57" W. for a distance of 201.45 feet to a point;

Thence N. 89°-45'-00" W. for a distance of 321.04 feet to a point;

Thence S. 00°-40'-42" W. for a distance of 99.07 feet to a point;

Thence S. 89°-45'-00" E. for a distance of 106.27 feet to a point;

Thence S. 00°-40'-42" W. for a distance of 190.40 feet to a point;

Thence S. 89°-45'-00" E. for a distance of 91.23 feet to a point;

Thence S. 00°-40'-42" W. for a distance of 130.42 feet to a point;

Thence N. 89°-45'-00" W. for a distance of 761.27 feet to a point;

Thence N. 00°-40'-42" E. for a distance of 123.51 feet to a point;

Thence S. 89°-45'-00" E. for a distance of 219.18 feet to a point;

Thence N. 01°-07'-57" E. for a distance of 341.76 feet to a point;

Thence N. 89°-45'-00" W. for a distance of 276.51 feet to a point on the existing Corporation Line, which is the PLACE OF BEGINNING for the tract of land herein described;

Thence S. 01°-17'-16" W. for a distance of 45.91 feet to a point;

Thence N. 89°-45'-00" W. for a distance of 83.27 feet to a point;

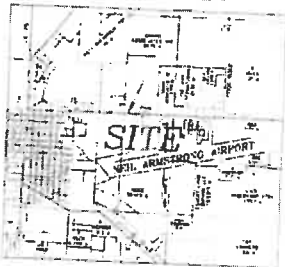
Thence N. 01°-17'-16" E. for a distance of 45.91 feet to a point on the existing Corporation Line;

Thence S. 89°-45'-00" E. along the existing Corporation Line for a distance of 83.27 feet to a point which is the original PLACE OF BEGINNING.

Containing in all 0.088 Acres and being subject to all legal easements, restrictions and reservations, if any, of record or in use on said premises. Basis for bearings for this tract is holding the centerline of State Route 219 and the North line of the Northeast Quarter of Section 29, Washington Township as N.89°-45'-00"W. per the Auglaize County Global Positioning System.

This description was prepared by Andrew J. Baumer, S.I. under the direct supervision of Douglas P. Reinhart, P.S. #6507 on this 24th day of June, 2020.

LOCATION PLAN



ANNEXATION PLAT FOR NEIL ARMSTRONG AIRPORT TERMINAL BUILDING
 VILLAGE OF NEW KNOXVILLE, NORTHEAST QUARTER SECTION 29,
 WASHINGTON TOWNSHIP, T-6-S, R-5-E, AUGLAIZE COUNTY, OHIO.
 0.088 ACRE TOTAL FOR ANNEXATION



LEGEND

- R/W Monument
- Iron Pin Found
- ▲ R.R. Spike Found
- Exist. Corp. Line
- Proposed Annexation Line
- Existing Buildings

COOK ROAD

N.E. Corner,
 N.E. Quarter,
 Section 29,
 Washington Twp.

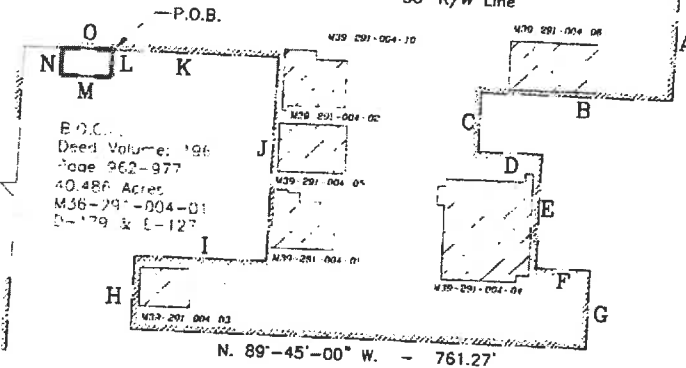
STATE ROUTE 219

N. 89°-45'-00" W.

N. 89°-45'-00" W.
 249.91'

30' R/W Line

Page 194



SURVEY TRAVERSE

Course	Bearing	Distance
A	S. 01°-21'-57" W.	201.45'
B	N. 89°-45'-00" W.	321.04'
C	S. 00°-40'-42" W.	99.07'
D	S. 89°-45'-00" E.	106.27'
E	S. 00°-40'-42" W.	190.40'
F	S. 89°-45'-00" E.	91.23'
G	S. 00°-40'-42" W.	130.42'
H	N. 00°-40'-42" E.	123.51'
I	S. 89°-45'-00" E.	219.18'
J	N. 01°-07'-57" E.	341.76'
K	N. 89°-45'-00" W.	276.51'

BASIS OF BEARING

The basis of bearing holding the North line of Sec. 29 Washington Township and also being the centerline of State Route 219 as N. 89°-45'-00" W. based on Ohio State Plane Coordinate System NAD83 (2011)

SCALE



REFERENCES

Airport Annexation Plat, OR 659 Page 2221-2238
 Auglaize County Recorders's Office - February 2015

Correction Plat to Airport Annexation Plat
 Instrument Number: 20160000807 - February 2016
 Auglaize County Recorders's Office

I hereby certify this plat and description to be the Plat of a Survey for lands to be annexed to the Village of New Knoxville, Ohio. This Plat and the accompanying description was prepared under my supervision on this 24th day of June, 2020

Prior Plat instrument is VOLUME 196, PAGES 962-977
 Auglaize County Recorder's Office

Douglas P. Reinhart
 Professional Surveyor No. 6507



PROPOSED PARCEL TO BE ANNEXED

L	S. 01°-17'-16" W.	45.91'
M	N. 89°-45'-00" W.	83.27'
N	N. 01°-17'-16" E.	45.91'
O	S. 89°-45'-00" E.	83.27'