

**IN THE MATTER OF AUTHORIZING A PARTICIPATION AGREEMENT REGARDING THE USAGE OF LOCATION SERVICES FOR INCARCERATED PARENTS PERFORMED BY APPRISS, INC. WITH AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND CCAO SERVICE CORPORATION (CCAOSC).**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 31st day of July, 2018.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Michael Morrow, Director of the Auglaize County Department of Job and Family Services presented to the Board of County Commissioners a participation agreement regarding the use of potential location leads for parents who are currently or have been incarcerated is entered into for usage of this program by and between the County Commissioners Association of Ohio Service Corporation (“CCAOSC”) and the Auglaize County Job & Family Services, 12 N. Wood St., Wapakoneta, Ohio; and,

**WHEREAS**, following a competitive procurement process, CCAOSC entered into a data use agreement with Appriss, Inc. for a period starting July 1, 2014 through June 30, 2016. This agreement was automatically renewed through June 30, 2018, and will now be automatically renewed through June 30, 2019 to provide location data for incarcerated parents; and,

**WHEREAS**, the CCAOSC wishes to continue assisting Ohio counties entities in securing competitively priced “Locate Non-Custodial Parent Service primarily focused on Prison Data” under contractual terms favorable to participant. The participant agrees to pay the base rate of \$80 per license, per month, which includes 100 free watches. Participant(s) may also choose to pay an additional \$20.00 per month for a minimum of 100 additional watches. In addition, Participant(s) will pay a Program Administrative Expense to OCDA of \$80.00 per user for the program term. This will be invoiced during the first quarter of the program term, and may be subsequently invoiced for any users added during the program term. The period commencing July 1, 2018 and ending on June 30, 2019, with the potential for one (1) additional one (1) year agreement.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the participation agreement, as presented, for effective dates and provisions as mentioned above, between Auglaize County Department of Job & Family Services and CCAO Service Corporation for so mentioned professional services; and,

**BE IT FURTHER RESOLVED** that the Board does here by authorizes the execution of said agreement for the Board of County Commissioners, Auglaize County, Ohio.

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

Adopted this  
31st day of  
July, 2018

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

cc: County Job & Family Services Dept. –  
Michael Morrow

**IN THE MATTER OF GRANTING AN ANNEXATION OF 22.719 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW BREMEN FROM GERMAN TOWNSHIP; PETITIONED BY CROWN EQUIPMENT CORPORATION; FILED BY JASON THIS, AGENT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 31st day of July, 2018.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on July 27, 2018, a petition for annexation of 22.719 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Jason This named as Agent for petitioners Crown Equipment Corporation; and,

**WHEREAS**, the requirements for the filing of said petition were all met by Agent This, 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 Bremen and German 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 22.719 acres, more or less, to the Village of New Bremen as petitioned by Crown Equipment Corporation pursuant to ORC Section 709.022.

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

Adopted this  
31st day of  
July, 2018

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

- ✓ cc: County Auditor
- ✓ County Engineer
- ✓ Jason This, Agent
- ✓ German Township Trustees
- ✓ Village of New Bremen

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JUL 27 2016

Board of County Commissioners  
Auglaize County, Ohio

ANNEXATION PETITION

The undersigned, CROWN EQUIPMENT CORPORATION, an Ohio corporation, hereinafter referred to as Petitioners, are owners of the following real property located in the Township of German, County of Auglaize and State of Ohio, to-wit:

Tract One:

Exhibit "A" Legal Description as noted in Volume 687, Page 117-119, Auglaize County Recorder's Official Records is owned by Crown Equipment Corporation, an Ohio corporation.

Prior Deed Reference: Volume 687, Pages 117-119, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-010-007-00 and C09-010-008-00

Premises known as West Monroe Street, New Bremen, Ohio 45869

A copy of the plat of the real estate is attached to this petition.

The owners of the real estate and the mailing address is CROWN EQUIPMENT CORPORATION, an Ohio corporation, whose address is 40-44 South Washington Street, New Bremen, Ohio 45869.

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 Bremen from the Township of German pursuant to Ohio Revised Code Section 709.022. The petitioners represent that the 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.

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Board of County Commissioners  
Auglaize County, Ohio

Attached to this petition is an original copy of the annexation agreement of the Village of New Bremen and German Township.

The undersigned hereby appoints and designates, Jason E. This, as agent for the petitioners, P.O. Box 42, New Bremen, Ohio 45869.

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.

CROWN EQUIPMENT CORPORATION,  
an Ohio corporation

July 26, 2018

Date:

Bradley L. Smith


Bradley L. Smith, Assistant Treasurer  
40-44 South Washington Street  
New Bremen, Ohio 45869

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**JUL 27 2018**

Board of County Commissioners  
Auglaize County, Ohio

I hereby accept the designation as agent for petitioners, dated this 20<sup>th</sup> day of July, 2018.

  
\_\_\_\_\_  
Jason M. This  
Agent for Petitioners  
5030 State Route 66  
P.O. Box 42  
New Bremen, Ohio 45869  
419-629-8108  
419-629-0328 (FAX)  
jason@this-law.com

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Board of County Commissioners  
Auglaize County, Ohio

“Exhibit A”

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 10, TOWN 7 SOUTH, RANGE 4 EAST, GERMAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at an iron pin found at the northeast corner of the southwest quarter of Section 10;

thence, South  $00^{\circ}-49'-31''$  West, 833.11 feet, along the east line of said southwest quarter to a point;

thence, North  $89^{\circ}-00'-52''$  West, 658.70 feet, along the north line of a tract of land owned by Crown Equipment Corporation as described in Official Record 285, Page 752 and also being the south line of a 3.41-acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 617, Page 2667 to an iron pin with cap set and being on the existing corporation limit of the Village of New Bremen and being the principal place of beginning of the tract herein described;

thence, South  $00^{\circ}-53'-13''$  West, 500.05 feet, along the existing corporation line the west line of said Crown Equipment Corporation tract to an iron pin with cap set on the north line of a tract of land owned by Crown Controls Corporation as described in Official Record 62, Page 828;

thence, North  $89^{\circ}-01'-49''$  West, 1978.93 feet, along the existing corporation line and the north line of said Crown Controls Corporation tract and it's extension to an iron pin with cap set on the east line of a 97.47acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 619, Page 698;

thence, North  $01^{\circ}-06'-24''$  East, 500.60 feet, along the east line of said 97.47-acre Topp tract to a bent iron pin found at the southwest corner of a 9.72-acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 617, Page 2667;

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Board of County Commissioners  
Auglaize County, Ohio

thence, South 89°-00'-52" East, 1977.01 feet, along the south line of said 9.72-acre Topp tract to the principal place of beginning.

Containing 22.719 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 Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated March 14, 2018.

Tax Parcel No. C09-010-007-00, Tax Parcel No. C09-010-008-00

Prior Deed Reference: Volume 687, Pages 117-119, Auglaize County Recorder's Official Records.

Survey filed GER-10-37

Premises known State Route 274, New Bremen, Ohio

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Board of County Commissioners  
Auglaize County, Ohio

Pursuant to Ohio Revised Code Section 709.02(D), following is a list of all tracts proposed for annexation and all tracts adjacent to that territory, including the name and mailing address of the owner of each tract and permanent parcel numbering system.

Tracts proposed for Annexation

**CROWN EQUIPMENT CORPORATION** Approximately 22.719 acres German Township  
C09-010-007-00 and C09-010-008-00

40 South Washington Street  
New Bremen, Ohio 45869 (mailing address)

Tracts adjacent to the territory proposed for annexation

**Crown Equipment Corp.** 18.85 acres, Section 10, German Township  
40 South Washington Street WM Lippert Lots 10, 11, 12 and pt Lots  
New Bremen, Ohio 45869 (mailing address) 7, 8, 9, Kellermeyer  
C10-100-005-00

3237 State Route 274  
New Bremen, Ohio 45869 (physical address)

**Crown Controls Corporation** 3.64 acres, Section 10, German Township  
Nka Crown Equipment Corporation Lot 4 WPT 5 & 6  
40 South Washington Street Kellermeyer's Subdivision  
New Bremen, Ohio 45869 (mailing address) C10-100-009-00

0 West Second Street  
New Bremen, Ohio 45869 (physical address)

**Crown Controls Corp** 2.32 acres, Section 10, German Township  
40 South Washington Street Fraction 15 EPT Langhorst SD  
New Bremen, Ohio 45869 (mailing address) C10-023-018-00

0 Herman (Rear)  
New Bremen, Ohio 45869 (physical address)



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**JUL 27 2018**

Board of County Commissioners  
Auglaize County, Ohio

**Crown Controls Corp.**

Nka Crown Equipment Corporation  
40 South Washington Street  
New Bremen, Ohio 45869 (mailing address)

2.32 acres, Section 10, German Township  
Fraction 14, EPT Langhorst SD  
C10-023-017-00

0 Herman (Rear)

New Bremen, Ohio 45869 (physical address)

**Crown Equipment Corporation**

40 South Washington Street  
New Bremen, Ohio 45869 (mailing address)

2.296 acres, Section 10, German Township  
Fraction 13 EPT, Langhorst SD  
C10-023-016-00

0 Herman (Rear)

New Bremen, Ohio 45869 (physical address)

**Mark R. Topp, Trustee,**

Topp Family Farm Trust  
02326 State Route 274  
New Bremen, Ohio 45869 (mailing address)

3.414 acres, Section 10, German Township  
Fraction 12, Langhorst SD  
C10-023-015-00

0 Herman (rear)

New Bremen, Ohio 45869 (physical address)

**Mark R. Topp, Trustee,**

Topp Family Farm Trust  
02326 State Route 274  
New Bremen, Ohio 45869 (mailing address)

4.93 acres, Section 10, German Township  
Fraction 12, WPT EX NPT WPT  
C09-010-021-00

0 State Route 274 (rear)

New Bremen, Ohio 45869 (physical address)

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Board of County Commissioners  
Auglaize County, Ohio

**Mark R. Topp, Trustee,**  
Topp Family Farm Trust  
02326 State Route 274  
New Bremen, Ohio 45869 (mailing address)

9.72 acres, Section 10, German Township  
Lot 16 & 17 WM Lipperts SD  
C09-010-006-01

0 State Route 274

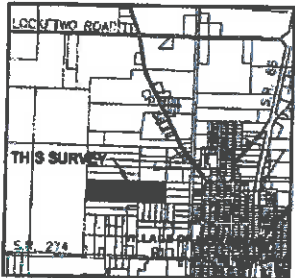
New Bremen, Ohio 45869 (physical address)

**Mark R. Topp, Trustee,**  
Topp Family Farm Trust  
02326 State Route 274  
New Bremen, Ohio 45869 (mailing address)

97.474 acres, Section 10, German Township  
E ½ SW SE & E ½ SE EX Pt  
C09-009-006-01

0 State Route 274

New Bremen, Ohio 45869 (physical address)



VICINITY MAP

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Board of County Commissioners  
Auglaize County, Ohio

# ANNEXATION OF TERRITORY TO THE VILLAGE OF NEW BREMEN

**SEC. 10, T 7 S, R 4 E, VILLAGE OF NEW BREMEN,  
GERMAN TWP., AUGLAIZE CO., OHIO**

TRANSFERRED AND NUMBERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

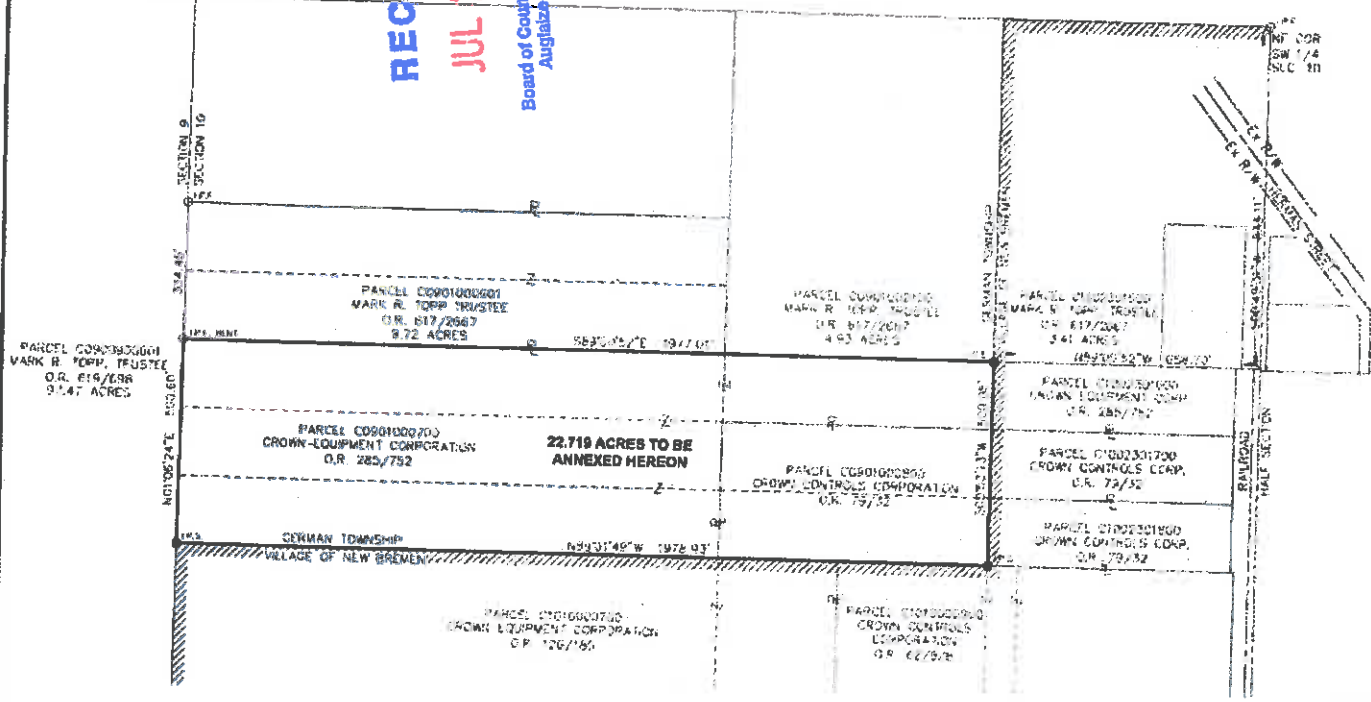
\_\_\_\_\_  
AUGLAIZE COUNTY AUDITOR

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_M

RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

PLAT CARNET \_\_\_\_\_ SLIDE \_\_\_\_\_

\_\_\_\_\_  
AUGLAIZE COUNTY RECORDER



**LEGEND**

- 3/4" DIA. X 36" REBAR W/ CAP SET
- 1" DIA. IRON PIN FOUND
- MONUMENT 60" W/P FOUND

**VILLAGE OF NEW BREMEN VILLAGE COUNCIL**

THIS PLAT WAS INSPECTED AND ACCEPTED BY US THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_

**VILLAGE OF NEW BREMEN PLANNING COMMISSION**

THIS PLAT WAS INSPECTED AND APPROVED BY US THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CHAIRPERSON \_\_\_\_\_

**VILLAGE OF NEW BREMEN ADMINISTRATOR**

THIS PLAT WAS INSPECTED AND APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

VILLAGE ADMINISTRATOR \_\_\_\_\_

**AUGLAIZE COUNTY ENGINEER**

THIS PLAT WAS APPROVED FOR RECORDING BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SHELBY COUNTY ENGINEER \_\_\_\_\_

**APPROVAL BY THE AUGLAIZE COUNTY COMMISSIONERS**

AT A MEETING OF THE AUGLAIZE COUNTY COMMISSIONERS HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ THE ANNEXATION OF THE TERRITORY SHOWN HEREOF TO THE VILLAGE OF NEW BREMEN, WAS APPROVED.

COUNTY COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

THIS PLAT AND THE ACCOMPANYING LEGAL DESCRIPTION REPRESENT AN ACTUAL BOUNDARY SURVEY COMPLETED UNDER MY DIRECT SUPERVISION ON MARCH 14, 2017.

ALLEN J. BERTKE, P.S. #8629 \_\_\_\_\_ DATE \_\_\_\_\_



**ChoiceOne**  
Engineering

5050 E. 12TH AVE. SUITE 100  
LITTLETON, CO 80120  
PH: 303.761.2500  
WWW.CHOICEONEENGINEERING.COM

DATE: 03-14-2018  
DRAWN BY: AJB  
JOB NUMBER: AUGNR1802  
SHEET NUMBER

THIS CONVEYANCE HAS BEEN EXAMINED AND THE GRANTOR HAS COMPLIED WITH SECTION 31932 OF THE REVISED CODE.

EX-180

FEE \$ \_\_\_\_\_  
JANET SCHALLER  
TRANSFERRED BY \_\_\_\_\_  
BY \_\_\_\_\_

EVENT

4-5-18

201800001487  
Filed for Record in  
AUGLAIZE COUNTY, OHIO  
CHRISTINA LAMBERT, RECORDER  
04-05-2018 At 12:49 PM.  
WARRANTY DEED 36.00  
OR Book 687 Page 117 - 119  
201800001487  
JASON THIS  
BOX

Instrument 201800001487 OR  
Book 687  
Page 117

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JUL 27 2018

Board of County Commissioners  
Auglaize County, Ohio

GENERAL WARRANTY DEED

Know All Men by These Presents, that CROWN EQUIPMENT CORPORATION (formerly CROWN CONTROLS CORPORATION, also known as CROWN CONTROL CORPORATION, also known as CROWN CONTROLS CORP.), an Ohio corporation, Grantor, of Auglaize County, Ohio, for valuable consideration paid, grants, with general warranty covenants, to CROWN EQUIPMENT CORPORATION, an Ohio corporation, Grantees, whose tax-mailing address is 40 South Washington Street, New Bremen Ohio 45869, the following real property:

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 10, TOWN 7 SOUTH, RANGE 4 EAST, GERMAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at an iron pin found at the northeast corner of the southwest quarter of Section 10;

thence, South 00°-49'-31" West, 833.11 feet, along the east line of said southwest quarter to a point;

thence, North 89°-00'-52" West, 658.70 feet, along the north line of a tract of land owned by Crown Equipment Corporation as described in Official Record 285, Page 752 and also being the south line of a 3.41-acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 617, Page 2667 to an iron pin with cap set and being on the existing corporation limit of the Village of New Bremen and being the principal place of beginning of the tract herein described;

thence, South 00°-53'-13" West, 500.05 feet, along the existing corporation line the west line of said Crown Equipment Corporation tract to an iron pin with cap set on the north line of a tract of land owned by Crown Controls Corporation as described in Official Record 62, Page 828;

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**JUL 27 2018**

Board of County Commissioners  
Auglaize County, Ohio

thence, North 89°-01'-49" West, 1978.93 feet, along the existing corporation line and the north line of said Crown Controls Corporation tract and it's extension to an iron pin with cap set on the east line of a 97.47acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 619, Page 698;

thence, North 01°-06'-24" East, 500.60 feet, along the east line of said 97.47-acre Topp tract to a bent iron pin found at the southwest corner of a 9.72-acre tract of land owned by Mark R. Topp, Trustee as described in Official Record 617, Page 2667;

thence, South 89°-00'-52" East, 1977.01 feet, along the south line of said 9.72-acre Topp tract to the principal place of beginning.

Containing 22.719 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 Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated March 14, 2018.

**(This deed is intended to transfer title into the name of Crown Equipment Corporation)**

Tax Parcel No. C09-010-007-00, Tax Parcel No. C09-010-008-00

Prior Deed Reference: Volume 285, Pages 752-754, and Volume 79, Pages 32-34, Auglaize County Recorder's Official Records.

Survey filed GER-10-37



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JUL 27 2018

Board of County Commissioners  
Auglaize County, Ohio

IN WITNESS THEREOF, Grantor, Crown Equipment Corporation formerly Crown Controls Corporation, also known as Crown Control Corporation, also known as Crown Controls Corp.), an Ohio corporation, has caused its corporate name to be subscribed hereto by Bradley L. Smith, its Assistant Treasurer, duly authorized by resolution of its board of directors, who have hereunto set its and his hand this 27<sup>th</sup> day of March, 2018.

Signed and acknowledged

  
Bradley L. Smith, Assistant Treasurer

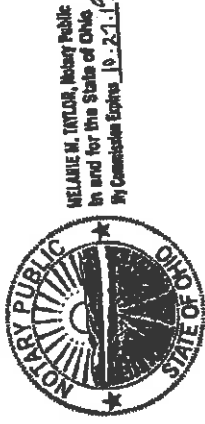
STATE OF OHIO :  
:ss  
COUNTY OF AUGLAIZE :

Before me a Notary Public in and for said County, personally appeared the above named CROWN EQUIPMENT CORPORATION formerly Crown Controls Corporation, also known as Crown Control Corporation, also known as Crown Controls Corp.), an Ohio corporation, by Bradley L. Smith, its Assistant Treasurer, of the Grantor in the foregoing deed, and acknowledged the signing thereof to be its and his voluntary act and deed pursuant to authority of its board of directors of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at New Bremen, Ohio, this 27<sup>th</sup> day of March, 2018.

  
Notary Public

This instrument prepared by:  
Jason E. This, Attorney-at-Law  
P.O. Box 42, New Bremen, Ohio 45869



**German Township – Village of New Bremen  
Annexation Agreement**

This Annexation Agreement (this “*Agreement*”) is made at Auglaize County, Ohio, by and between the Board of Trustees for German Township, Auglaize County, Ohio (hereinafter referred to as “*Township*”), whose mailing address is 123 North Main Street, New Bremen, Ohio 45869, and the Village of New Bremen (hereinafter referred to as “*Village*”), whose mailing address is 214 North Washington Street, New Bremen, Ohio 45869.

WITNESSETH:

WHEREAS, Township and Village desire to establish an Annexation Agreement, as permitted under Ohio Revised Code Section 709.021, 709.022 and 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 Crown Equipment Corporation, an Ohio corporation (the “*Crown*”); 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 3, 2018 and adopted by the Township effective the 3<sup>rd</sup> day of July, 2018, and the Village has agreed to enter into this Agreement by Ordinance No. 2018-05-12 effective the 9th day of July, 2018;

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 22 acre parcel and certain portions of certain other parcels owned exclusively by Crown Equipment Corporation, an Ohio corporation, located in German 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 German 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

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 City located within German Township.

In lieu of prorating tax revenues pursuant to Section 709.19 O.R.C., the Village agrees to pay the Township the sum of **\$2,500.20** within sixty (60) days of the passage of the Village Ordinance accepting the property proposed for annexation.



**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.

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**JUL 27 2018**

Board of County Commissioners  
Auglaize County, Ohio

**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.

RECEIVED

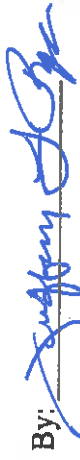
JUL 27 2018

Board of County Commissioners  
Auglaize County, Ohio

[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 Bremen

By: 

Its Mayor: Jeff Pape

Date: July 9, 2018

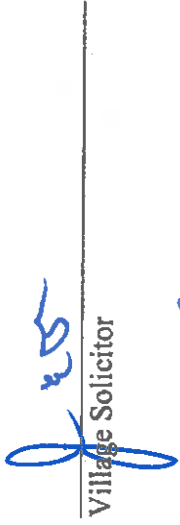
The Board of Trustees For  
German Township

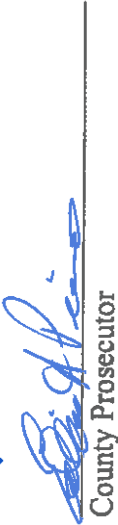
By: 

By: 

By: 

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
Village Solicitor

  
County Prosecutor

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 31st day of July, 2018.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board has been requested to authorize budget adjustments as follows: and,

<u>General Fund:</u>	<u>From:</u>	<u>To:</u>
Amount:	001.1501.530800 (Advertising)	001.1501.531200 (Community Dev.)
\$ 8,000.00	001.1501.531000 (Contract Services)	001.1501.531200 (Community Dev.)
\$38,000.00	001.1501.531100 (Workforce Dev.)	001.1501.531200 (Community Dev.)
\$17,000.00	001.1701.538000 (Transfers)	001.1501.531200 (Community Dev.)
\$80,370.00		

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustments to show the changes as tabulated above.

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

Adopted this  
31st day of  
July, 2018

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula Yes  
Don Regula

John N. Bergman Yes  
John N. Bergman

cc: County Auditor  
✓ County Administrator