

IN THE MATTER OF PROCLAIMING SEPTEMBER, 2021 AS "PROSTATE CANCER AWARENESS MONTH" THROUGHOUT AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 2nd day of September, 2021.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, this year approximately 248,530 men will be diagnosed with prostate cancer in the United States alone and roughly 34,130 will die this year from the disease; and,

WHEREAS, every fifteen minutes another American man dies from prostate cancer. That is a little more than 93 deaths per day and 34,130 this year; and,

WHEREAS, in Ohio an estimated 9,010 new cases of prostate cancer will be diagnosed and an estimated 2,000 deaths will occur in 2021; and,

WHEREAS, 1 in 8 men are diagnosed with prostate cancer in his lifetime. African American men are at the highest risk for the disease with the rate of 1 in 6 and 2.2 times more likely to die from the disease; and,

WHEREAS, men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease; and,

WHEREAS, men who served in the military who have been exposed to chemicals and herbicides are at a higher risk for developing prostate cancer; and,

WHEREAS, education regarding prostate cancer and early detection strategies are critical to saving lives, preserving, and protecting our families. The economic and social hardship it has on the families is huge. Prostate cancer is estimated to cost over \$8 billion in direct medical expenditures; and,

WHEREAS, nearly 3.1 million men in the U.S. are living with a prostate cancer diagnosis; that number is estimated to climb to 4 million by 2024 as men in the baby boomer generation age are diagnosed; and,

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of Auglaize County to increase the importance of prostate screenings.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby proclaim and designate the month of September, 2021 as:

PROSTATE CANCER AWARENESS MONTH throughout the County of Auglaize.

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

Adopted this
2nd day of
September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

ABSENT
David Bambauer

John N. Bergman, Yes
John N. Bergman

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 2nd of September, 2021.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

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

<u>MVGT Fund:</u>	
Amount:	To:
\$25,000.00	002.0014.530600 (Equipment)
	002.0014.530301 (Parts)
<u>General Sanitary Engineer Fund:</u>	
Amount:	To:
\$3,000.00	001.1001.530400 (Equipment)
	001.1001.530300 (Supplies)

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to complete the budget adjustments as mentioned above.

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

Adopted this
2nd day of
September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

David Bambauer
David Bambauer

John N. Bergman
John N. Bergman

cc: County Auditor
Engineer

IN THE MATTER OF AUTHORIZING THE PAYMENT OF THE COUNTY'S MANDATED SHARE OF PUBLIC ASSISTANCE FOR SEPTEMBER.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 2nd day of September, 2021.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary to pay the county's mandated share of Public Assistance for September.

THEREFORE, BE IT RESOLVED that the Board does authorize the County Auditor to make the following payment:

From: 001-0905-533500 – Public Assistance Grant

Amount: \$ 5,376.42

To: 006-0400-400101 – Public Assistance

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

Adopted this 2nd day
of September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


Douglas A. Spencer

ABSENT
David Bambauer


John N. Bergman

cc: County Auditor
Jobs & Family Services

IN THE MATTER OF COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS FOR THE SEIBERT DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 2nd day of September, 2021.

Commissioner Bergman made the motion to adopt of the following:

RESOLUTION

WHEREAS, on August 26, 2021 the Board of County Commissioners held the final hearing for the Seibert Ditch project on the Reports and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and,

WHEREAS, said Board finds that due and legal notice of this final hearing has been given as required by law; and,

WHEREAS, said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the County Engineer; and,

WHEREAS, at the time the assessment process was reviewed and assessments were discussed, landowners present were in favor of the project, with some landowners paying cash and for the landowners not present it was recommended for a five year (10) semi-annual payment financing should be sought for the note for the balance of moneys needed to complete payment of project after the thirty day assessment payment period has passed.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby rule in favor of this improvement on August 26, 2021 at the final hearing; and,

BE IT STILL FURTHER RESOLVED that said Board does approve the maps, profiles, plans, schedules, and reports prepared and presented by the County Engineer at the final hearing and determined the costs do not exceed the benefits; and,

BE IT STILL FURTHER RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby set **October 28, 2021 at 10:00 a.m.** as the date and time to receive and publicly open bids in the Commissioner's Chambers, Administration Building, 209 S. Blackhoof Street – Room 201, Wapakoneta, Ohio for the construction of this project; and,

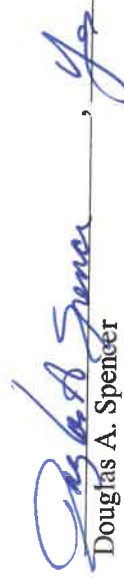
BE IT FURTHER RESOLVED that the tile completion date for this project is **September 30, 2022 and final leveling and seeding completion date is May 31, 2023**; and,

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to proceed with the necessary legal steps to cause for the above bid opening.

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

Adopted this
2nd day of
September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


Douglas A. Spencer

ABSENT
David Bambauer


John N. Bergman

✓ cc: County Engineer

IN THE MATTER OF GRANTING AN ANNEXATION OF 9.15 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW BREMEN FROM GERMAN TOWNSHIP; PETITIONED BY CRAIG E. SCHNELLE AND SUSAN Z. SCHNELLE, PATRICIA L. SHARP, SUSAN J. WISSMAN AND THE VILLAGE OF NEW BREMEN; FILED BY JASON THIS, AGENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 2nd day of September, 2021.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on September 1, 2021, a petition for annexation of 9.15 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 Craig E. Schnelle and Susan Z. Schnelle, Patricia L. Sharp, Susan J. Wissman and the Village of New Bremen; 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 9.15 acres, more or less, to the Village of New Bremen as petitioned by Craig E. Schnelle and Susan Z. Schnelle, Patricia L. Sharp, Susan J. Wissman and the Village of New Bremen 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
2nd day of
September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer ys
Douglas A. Spencer

AGENT
David Bambauer

John N. Bergman ys
John N. Bergman

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

RECEIVED

SEP - 1 2021

Board of
County Commissioners

ANNEXATION PETITION

The undersigned, CRAIG SCHNELLE also known as Craig E. Schnelle and SUSAN Z. SCHNELLE, his wife, and PATRICIA L. SHARP, widowed and not remarried, and SUSAN J. WISSMAN, widowed and not remarried, and the VILLAGE OF NEW BREMEN, a municipal 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 195, Pages 0174-0175, save and except the parcel described in Volume 543, Pages 1786, Auglaize County Recorder's Official Records is owned by CRAIG SCHNELLE, an individual.

Prior Deed Reference: Volume 195, Pages 0174-0175, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-015-016-01

Premises known as State Route 66, New Bremen, Ohio 45869

Tract Two:

Exhibit "A" Legal Description as noted in Volume 561, Pages 1174-1177, Volume 522, Pages 403, and Volume 543, Pages 1786, Auglaize County Recorder's Official Records is owned by PATRICIA L. SHARP, an individual.

Prior Deed Reference: Volume 561, Pages 1174-1177, Volume 522, Pages 403, and Volume 543, Pages 1786, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-015-016-00

Premises known as 05279 State Route 66, New Bremen, Ohio 45869

Tract Three:

Exhibit "A" Legal Description as noted in Volume 609, Pages 2104-2106, Auglaize County Recorder's Official Records is owned by SUSAN J. WISSMAN, an individual.

Prior Deed Reference: Volume 609, Pages 2104-2106 and Volume 554, Pages 1884-1887, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-015-017-00

Premises known as 05193 State Route 66, New Bremen, Ohio 45869

Tract Four:

SITUATE IN THE VILLAGE OF NEW BREMEN, GERMAN TOWNSHIP, COUNTY OF AUGLAIZE and STATE OF OHIO:

Being a strip of right of way located in the Southeast Quarter of Section 15, Town 7 South, Range 4 East and part of Fraction 17 and being the tract known as State Route 66 and being the premises located East of properties owned by Minster State Bank, Crown Equipment Corporation and First National Bank in New Bremen, and the property is solely described to include the right of way in these annexation proceedings.

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

The owners of the real estate and the mailing address are the following:

- Craig Schnelle, whose address is 137 St. Clair Place, New Bremen, Ohio 45869;
- Patricia L. Sharp, whose address is 05279 State Route 66, New Bremen, Ohio 45869; and
- Susan J. Wissman, whose address is 05193 State Route 66, New Bremen, Ohio 45869

Village of New Bremen, whose address is 214 North 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.

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.

Aug 22, 2021

Date:



CRAIG SCHNELLE
137 St. Clair Place
New Bremen, Ohio 45869

Aug 27, 2021

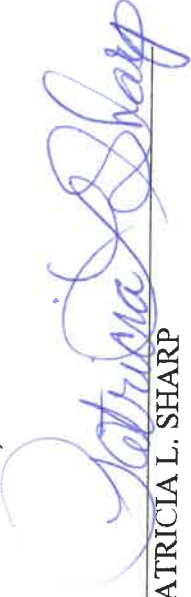
Date:



SUSAN Z. SCHNELLE, his wife
137 St. Clair Place
New Bremen, Ohio 45869

Aug 9, 2021

Date:



PATRICIA L. SHARP
5279 State Route 66
New Bremen, Ohio 45869


Aug. 9, 2021

Date:



SUSAN J. WISSMAN
5193 State Route 66
New Bremen, Ohio 45869

Date: 8/30/2021

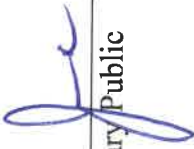

VILLAGE OF NEW BREMEN
VILLAGE ADMINISTRATOR
214 North Washington Street
New Bremen, Ohio 45869

The State of Ohio, County of Auglaize, ss:

I, Amy M. Speelman, Fiscal Officer of the Village of New Bremen, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing annexation agreement and ordinance approving the execution of the annexation agreement, taken and copied from the original agreement and ordinance now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.


Amy M. Speelman
Fiscal Officer

Sworn to in my presence this 30th day of August, 2021.


Notary Public



JASON E. THIS, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Sec 147.03 R.C.

I hereby accept the designation as agent for petitioners, dated this 30th day of August, 2021.



Jason E. This
Agent for Petitioners
314 East Plum Street
P.O. Box 42
New Bremen, Ohio 45869
419-629-8108
419-629-0328 (FAX)
jason@this-law.com

Tracts adjacent to the territory proposed for annexation

MAKE PROPERTIES

1.208 acres, Section 15, German Township
PT SE

6262 Botkins Road
New Knoxville, Ohio 45871 (mailing address) C10-040-001-01

490 South Washington Street
New Bremen, Ohio 45869 (physical address)

Amsterdam Center LLC
3.266 acres, Section 15, German Township
Fraction 12
C10-040-001-00

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

496 South Washington Street
New Bremen, Ohio 45869 (physical address)

James N. Brining

24.12 acres, Section 15, German Township
East PT Lot 3-4-5-6-7-8-9
10-1-12 Koops SD
C09-015-022-00

PO Box 62
New Bremen, Ohio 45869 (mailing address)

3667 Amsterdam Road
New Bremen, Ohio 45869 (physical address)

Donald J. Luedeke

9.5 acres, Section 15, German Township
KOOPS SD PT LOTS 1 & 2
C09-015-024-00

Shirley C. Luedeke
05270 Erie Road
New Bremen, Ohio 45869 (mailing address)

05270 Erie Road
New Bremen, Ohio 45869 (physical address)

Cory J. Stephens
Rachel R. Stephens

Erie Subdivision, Lot 8
Village of New Bremen

463 Canal Street
New Bremen, Ohio 45869 (mailing address)

C10-273-008-00

463 Canal Street
New Bremen, Ohio 45869 (physical address)

Robert G. Heitkamp
Amy C. Heitkamp

Erie Subdivision, Lot 9
Village of New Bremen

467 Canal Street
New Bremen, Ohio 45869 (mailing address)

C10-273-009-00

467 Canal Street
New Bremen, Ohio 45869 (physical address)

Robert G. Heitkamp
Amy C. Heitkamp

Erie Subdivision, Lot 10
Village of New Bremen

467 Canal Street
New Bremen, Ohio 45869 (mailing address)

C10-273-010-00

467 Canal Street
New Bremen, Ohio 45869 (physical address)

Minster State Bank

PT NPT FRACTION 17
Village of New Bremen

95 West Fourth Street, PO Box 90
Minster, Ohio 45865 (mailing address)

C10-027-006-00

443 Washington Street
New Bremen, Ohio 45869 (physical address)

Crown Equipment Corporation

0.859 acres, Pt NPT Fraction 17
Village of New Bremen
Section 15, German Township

40-44 South Washington Street
New Bremen, Ohio 45869 (mailing address)

C10-027-007-00

441 South Washington Street
New Bremen, Ohio 45869 (physical address)

First National Bank in New Bremen

0.68 acres, Pt NPT Fraction 17
Village of New Bremen
Section 15, German Township

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

C10-027-008-00

435 South Washington Street
New Bremen, Ohio 45869 (physical address)

Amsterdam Center LLC

4.584 acres, PT SW
Village of New Bremen
Section 15, German Township

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

C10-040-002-00

444 State Route 66

New Bremen, Ohio 45869 (physical address)

Amsterdam Center LLC

3.006 acres, PT SE Fraction 13
Village of New Bremen
Section 15, German Township

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

C10-040-007-00

444 State Route 66
New Bremen, Ohio 45869 (physical address)

DOLGEN MIDWEST LLC

1.835 acres, PT FRACTION 15
Village of New Bremen
Section 15, German Township

100 Mission Ridge
Goodlettsville, TN 37072 (mailing address)

C10-040-018-01

495 State Route 66
New Bremen, Ohio 45869 (physical address)

DANIEL A. LUEBKE

1.994 acres, PT FRACTION 13
Village of New Bremen
Section 15, German Township

05158 State Route 66
New Bremen, Ohio 45869 (mailing address)

C10-040-021-04

05158 State Route 66
New Bremen, Ohio 45869 (physical address)

“Exhibit A”

Tract One:

Exhibit “A” Legal Description as noted in Volume 195, Pages 0174-0175, save and except the parcel described in Volume 543, Page 1786, Auglaize County Recorder’s Official Records is owned by CRAIG SCHNELLE, an individual.

Situated in the Township of German, County of Auglaize and State of Ohio:

The following tract of land which is part of the middle part of lot 16 of the fractional part of land numbered by the land appraisers in accordance with the law of 1859, same being in the southeast quarter of section 15, T7S, R4E, German Township, Auglaize County, Ohio with reference to the First Principal Meridian and is more particularly described as follows:

Commencing at the Section Stone at the southeast corner, of the southeast quarter of Section 15, German Township, Stone also being in the center line of the Amsterdam Road,

thence north eighty-eight (88) degrees fifty-eight (58) minutes west along the center line of the Amsterdam Road a distance of four hundred ten and fifty hundredths (410.50) feet, to a P.K. nail in the centerline of State Route 66,

thence north four (4) degrees forty-seven (47) minutes west along the center line of State Route 66 a distance of 1159.92 feet to a railroad spike this being the PLACE OF BEGINNING;

Thence continuing N 4 degrees 47’ West along the centerline of State Route 66 a distance of 300.10 feet to a railroad spike;

Thence, N 89 degrees 13’ West (passing thru an iron pipe set at 30.0 feet on the westerly right of way line of state route 66) a distance of 142.30 feet to an iron

pipe;

Thence N 4 degrees 47' West a distance of 7.80 feet to an iron pipe;

Thence N 87 degrees 23' West a distance of 365.43 feet to an iron pipe in the easterly bank of the Miami & Erie Canal;

Thence S 9 degrees 54' East along the easterly bank of the Miami & Erie Canal, a distance of 424.43 feet to an iron pipe;

Thence N 80 degrees 57' East a distance of 220.80 feet to an iron pipe;

Thence N 76 degrees 09' East (passing thru an iron pipe set at 249.33 feet to the Railroad spike in the centerline of State Route 66 which was the PLACE OF BEGINNING.

The above tract of land contains 4.02 acres and subject to 0.206 acre dedicated to the use of the public for highway purposes.

SAVE AND EXCEPT THE FOLLOWING:

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 15 TOWN 7S RANGE 5E, GERMAN TOWNSHIP, AUGLAIZE COUNTY OHIO, AND BEING PART OF THOSE LANDS OWNED BY CRAIG SCHNELLE AS RECORDED IN OFFICIAL RECORD 195, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a Monument Box at the southeast corner of the southeast quarter of said Section 15 and the centerline of Amsterdam Road;

Thence, with the south line of said Section 15 and the centerline of Amsterdam Road, South 89° 20' 47" West, 412.36 feet to the intersection of Amsterdam Road and the Tangent Line;

Thence, with the Tangent Line and the centerline of State Route 66, North 06° 30' 28" West, 103.28 feet to the point of intersection of a curve;

Thence, with the centerline of State Route 66, North 06° 30' 28" West 1270.68 feet to a Mag Nail set; said Mag Nail also marking the True Point of Beginning of the tract herein described;

Thence, with a new division line, South 89° 00' 22" West, 489.76 feet to a iron pin set in the east line of the Miami Erie Canal, passing for reference at 109.55 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the east line of the Miami Erie Canal, North 13° 53' 26" West 107.49 feet to an iron pin set;

Thence, with the south line of a 1.65 acre tract owned by J. & P. Sharp as recorded in Official Record 522 Page 403, the following 3 courses;

1. South 89° 09' 38" East, 362.99 feet to an iron pipe found,
2. South 08° 42' 04" East, 7.84 feet to an iron pin set;
3. North 89° 00' 22" East, 141.65 feet to a Mag Nail set in the centerline of State Route 66, passing for reference at 59.94 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the centerline of State Route 66, South 06° 30' 28" East, 85.79 feet to the True Point of Beginning, containing 1.083 acres more or less of which 0.188 acres lie within the rights of way of State Route 66 and being subject to all legal rights of way, easements, agreements and restrictions of record;

Bearings listed above are assumed and shown for angular purposes only. The deed records referenced are all recorded in the Auglaize County Recorder's Office. Pins noted as set are 5/8" x 30" rebar with orange plastic caps stamped "Lock-Two 7988".

The above description was prepared by Lock-Two Survey, LLP from a survey performed by Christopher S. Harmon, professional surveyor #7988 in March of 2006 and filed in Survey Book P, Page 323 of the Auglaize County Tax Map Office.

Prior Deed Reference: Volume 195, Pages 0174-0175, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-015-016-01

Premises known as State Route 66, New Bremen, Ohio 45869

Tract Two:

Exhibit "A" Legal Description as noted in Volume 561, Pages 1174-1177, Volume 522, Pages 403, and Volume 543, Pages 1786, Auglaize County Recorder's Official Records is owned by PATRICIA L. SHARP, an individual.

Tract "A"

Situated in Township of German, County of Auglaize and State of Ohio:

The following tract of land which is part of the North part of Lot 16 of the fractional part of land numbered by the land appraisers in accordance with the law of 1859, same being in the southeast quarter of Section 15, T7S, R4E, German Township, Auglaize County, Ohio, with reference to the First Principal Meridian and is more particularly described as follows:

Commencing at the section stone of the southeast corner of the southeast quarter of Section 15, German Township, stone also being in the centerline of Amsterdam Road. Thence N 88 degrees 58' W along the centerline o the Amsterdam Road a distance of 410.50 feet to a P-K nail in the centerline of State Route 66. Thence N. 4 degrees 47' W along the centerline of State Route 66 a distance of 1460.02 feet to a Railroad spike which is the PLACE OF BEGINNING.

Thence continuing N 4 degrees 47' W along the centerline of State Route 66 a distance of 141.0' feet to a Railroad spike:

Thence N 87 degrees 23' W (passing thru an iron pipe set at 30.0 feet on the westerly right of way line of State Route 66) a distance of 532.26 feet to an iron pipe on the easterly bank of the Miami & Erie Canal.

Thence S 14 degrees 05' East along the easterly bank of the Miami & Erie Canal a distance of 143.10 feet to an iron pipe;

Thence S 87 degrees 23' East a distance of 365.43 feet to an iron pipe;

Thence S 4 degrees 47' East a distance of 7.80 feet to an iron pipe;

Thence S 89 degrees 13' East (passing thru an iron pipe set at 112.30 feet on the westerly right of way line of State Route 66) a distance of 142.30 feet to the Railroad Spike in the centerline of State Route 66 which was the PLACE OF BEGINNING.

The above tract of land contains 1.65 acres and is subject to an easement for highway purposes.

Prior Deed Reference: Volume 561, Pages 1174-1177 and Volume 522, Pages 403, Auglaize County Recorder's Official Records.

Parcel No. C09-015-015-00

Premises known as 05279 State Route 66, New Bremen, Ohio 45869

Tract "B"

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 15 TOWN 7S RANGE 5E, GERMAN TOWNSHIP, AUGLAIZE COUNTY OHIO, AND BEING PART OF THOSE LANDS OWNED BY CRAIG SCHNELLE AS RECORDED IN OFFICIAL RECORD 195, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a Monument Box at the southeast corner of the southeast quarter of said Section 15 and the centerline of Amsterdam Road;

Thence, with the south line of said Section 15 and the centerline of Amsterdam Road, South 89° 20' 47" West, 412.36 feet to the intersection of Amsterdam Road and the Tangent Line;

Thence, with the Tangent Line and the centerline of State Route 66, North 06° 30' 28" West, 103.28 feet to the point of intersection of a curve;

Thence, with the centerline of State Route 66, North 06° 30' 28" West 1270.68 feet to a Mag Nail set; said Mag Nail also marking the True Point of Beginning of the tract herein described;

Thence, with a new division line, South 89° 00' 22" West, 489.76 feet to a iron pin set in the east line of the Miami Erie Canal, passing for reference at 109.55 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the east line of the Miami Erie Canal, North 13° 53' 26" West 107.49 feet to an iron pin set;

Thence, with the south line of a 1.65 acre tract owned by J. & P. Sharp as recorded in Official Record 522 Page 403, the following 3 courses;

1. South 89° 09' 38" East, 362.99 feet to an iron pipe found,
2. South 08° 42' 04" East, 7.84 feet to an iron pin set;
3. North 89° 00' 22" East, 141.65 feet to a Mag Nail set in the centerline of State Route 66, passing for reference at 59.94 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the centerline of State Route 66, South 06° 30' 28" East, 85.79 feet to the True Point of Beginning, containing 1.083 acres more or less of which 0.188 acres lie within the rights of way of State Route 66 and being subject to all legal rights of way, easements, agreements and restrictions of record;

Bearings listed above are assumed and shown for angular purposes only. The deed records referenced are all recorded in the Auglaize County Recorder's Office. Pins noted as set are 5/8" x 30" rebar with orange plastic caps stamped "Lock-Two 7988".

The above description was prepared by Lock-Two Survey, LLP from a survey performed by Christopher S. Harmon, professional surveyor #7988 in March of 2006 and filed in Survey Book P, Page 323 of the Auglaize County Tax Map Office.

Prior Deed Reference: Volume 561, Pages 1174-1177, Volume 522, Pages 403, and Volume 543, Pages 1786, Auglaize County Recorder's Official Records.

Tax Parcel No. C09-015-016-00

Premises known as 05279 State Route 66, New Bremen, Ohio 45869

Tract Three:

Exhibit "A" Legal Description as noted in Volume 609, Pages 2104-2106, Auglaize County Recorder's Official Records is owned by SUSAN J. WISSMAN, an individual.

Situated in the Township of German, County of Auglaize and State of Ohio:

The following tract of land is part of Lot Number Sixteen (16), same being part of the southeast quarter of the southeast quarter of Section 15, German Township, Town 7 South, Range 4 East, with respect to the First Principal Meridian, Auglaize County, Ohio, and is more particularly described as follows:

Commencing at the Section Stone at the southeast corner of the southeast quarter of Section 15, stone being in the centerline of the Amsterdam Road, thence north eighty-eight (88) degrees fifty-eight (58) minutes west along the center line of the Amsterdam Road a distance of four hundred ten and fifty hundredths (410.50) feet, to a P.K. nail in the centerline of State Route 66, thence north four (4) degrees forty-seven (47) minutes west along the center line of State Route 66 a distance of eight hundred forty-three and fifteen hundredths (843.15) feet to a railroad spike this being the place of beginning; thence continuing along the centerline of State Route 66 a distance of three hundred sixteen and seventy-seven hundredths (316.77) feet to a railroad spike; thence south seventy-six (76) degrees nine (9) minutes west passing through an iron pipe set at thirty and forty-three hundredths (30.43) feet on the west right of way line of State Route 66, a distance of two hundred forty-nine and thirty-three hundredths (249.33) feet to an iron pipe; thence south eighty (80) degrees fifty-seven (57) minutes west a distance of two hundred twenty and eighty hundredths (220.80) feet to an iron pipe; thence south zero (0) degrees thirty-five (35) minutes west a distance of two hundred two and sixty-five (202.65) hundredths feet to a four inch steel corner post; thence south two (2) degrees ten (10) minutes east passing through an iron pipe set four hundred fifty-eight and eighty hundredths (458.80) feet on the west right of way line of State Route 66 a distance of four hundred eighty-eight and ninety

hundredths (488.90) feet to the railroad spike in the center line of State Route 66 which was the place of beginning. The above tract of land contains two and ninety-two hundredths (2.92) acres subject to twenty-two hundredths (0.22) acres dedicated to the use of the public for highway purposes.

Prior Deed Reference: Volume 609, Pages 2104-2106 and Volume 554, Pages 1884-1887, Auglaize County Recorder's Official Records.

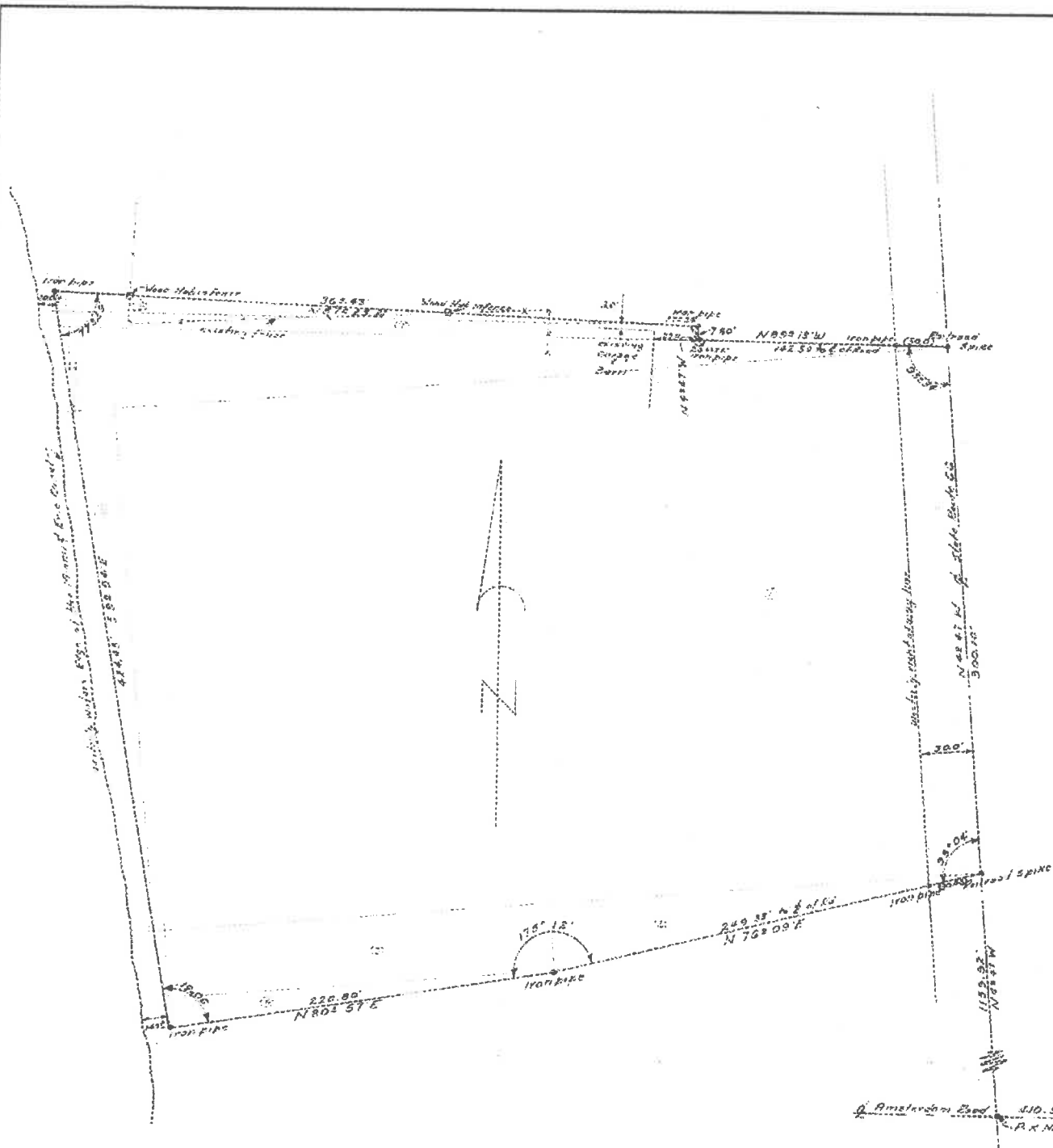
Tax Parcel No. C09-015-017-00

Premises known as 05193 State Route 66, New Bremen, Ohio 45869

Tract Four:

SITUATE IN THE VILLAGE OF NEW BREMEN, GERMAN TOWNSHIP,
COUNTY OF AUGLAIZE and STATE OF OHIO:

Being a strip of right of way located in the Southeast Quarter of Section 15, Town 7 South, Range 4 East and part of Fraction 17 and being the tract known as State Route 66 and being the premises located East of properties owned by Minster State Bank, Crown Equipment Corporation and First National Bank in New Bremen, and the property is solely described to include the right of way in these annexation proceedings.



Engineers Certificate

The following tract of land is of the middle part of lot 16 of the first line, part of land numbered by the land owners in accordance with the law of 1852, some being in the southeast quarter of section 15, T75R & 6E, Garmon Township, Madison County, Ohio with reference to the first principal meridian and is more particularly described as follows: Commencing at the section stake at the south east corner of the southeast quarter of section 15 Garmon Township, Ohio also being in the center line of the Amsterdam Road Thence N85° 25' W along the center line of the Amsterdam Road a distance of 410.20 feet to a 1 1/2" nail in the center line of State Route 66 Thence N69° 15' W along the center line of State Route 66 a distance of 142.30 feet to a Railroad Spine then being the PLACE OF BEGINNING Thence continuing N85° 25' W along the center line of State Route 66 a distance of 300.10 feet to a Railroad Spine Thence N89° 15' W (passing thru an iron pipe set at 20 feet from the western right of way line of State Route 66) a distance of 142.30 feet to an iron pipe Thence N42° 07' W a distance of 790 feet to an iron pipe Thence N37° 35' W a distance of 365.45 feet to an iron pipe in the center bank of the Miami & Erie Canal Thence S24° 54' E along the eastern bank of the Miami & Erie Canal a distance of 528.88 feet to an iron pipe Thence N80° 27' E a distance of 220.80 feet to an iron pipe Thence N76° 09' E (passing thru an iron pipe set at 20 feet from the western right of way line of State Route 66) a distance of 249.33 feet to the Railroad Spine in the center line of State Route 66 which was the PLACE OF BEGINNING The above tract of land contains 6.02 acres and is subject to 0.206 acre dedicated to the public for highway purposes.

Attest: *Edmund*
Exp. Jan. 29, 1906

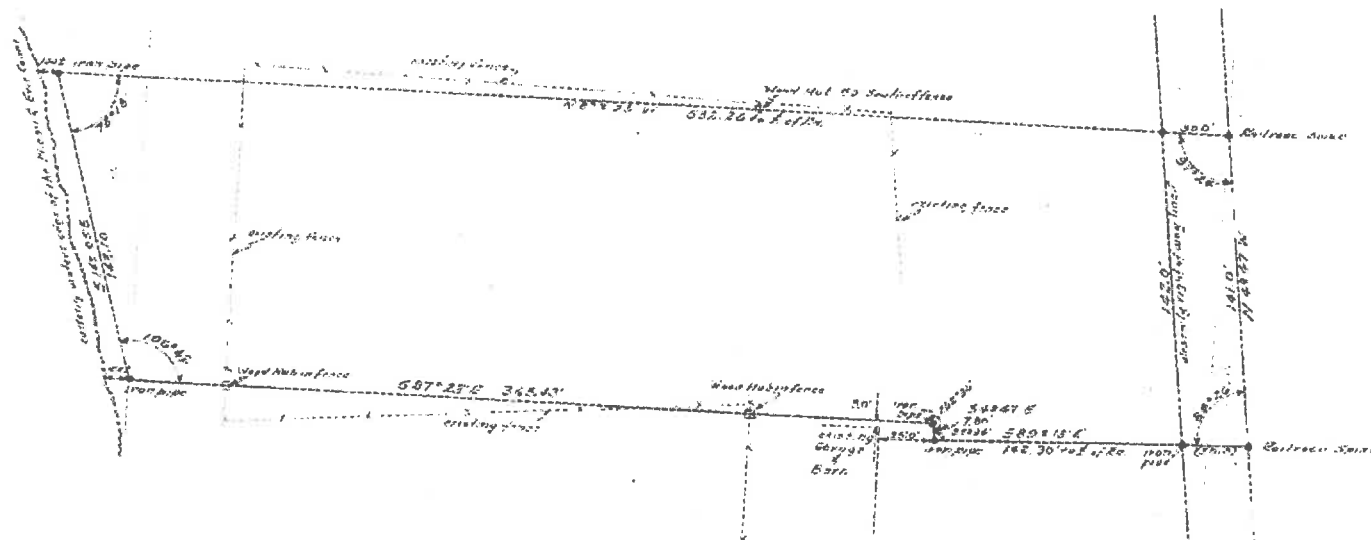


At Amsterdam End 142.50 N86° 38' W
P. K. Nail
Section Stake
SE COR of Section
T75R & E

REVISIONS			Part of The Southeast Quarter of Section 15, T75R & 6E Garmon Twp. Aug. 10.		
NO	DATE	BY			
1					
2					
3					
4					
5					
6					
7					

Tom Schmidt
1892
Madison County, Ohio
DRAWN BY: JIM E. PRICE
SCALE: 1" = 40'
DATE: 17-08
APPD: G.B. STUBBS

Edmund
1750 1/2 75R & 6E



Engineer's Certificate

The following tract of land is of the North part of lot 16 of the fractional part of land surveyed by the said engineers in accordance with the law of 1833, same being in the Southeast Quarter of Section 15, T15S, R16E German Township, Wayne County Ohio and reference to the First Principal Meridian and is more particularly described as follows:

Commencing at the station Stone at the southeast corner of the southeast corner of Section 15 German Township, Ohio also being in the center line of the former -com. line T15S R16E 50 ft along the center line of the former line designated as 40.00 feet to a P.K. Nail in the center line of State Route 66 Thence N 45° 27' W along the center line of State Route 66 a distance of 1740.00 feet to a Railroad Stake which is the PLACE of BEGINNING.

Thence continuing N 45° 27' W along the center line of State Route 66 a distance of 161.0 feet to an iron pipe.

Thence N 27° 23' W (passing through iron pipe set at 520 feet on the westerly right of way line of State Route 66) a distance of 520.26 feet to an iron pipe on the westerly bank of the Branch of Pine Creek.

Thence S 18° 30' E along the easterly bank of the Branch of Pine Creek a distance of 181.10 feet to an iron pipe.

Thence S 87° 23' E a distance of 362.48 feet to an iron pipe.

Thence S 88° 45' E a distance of 7.80 feet to an iron pipe.

Thence S 88° 15' E (passing through iron pipe set at 112.90 feet on the westerly right of way line of State Route 66) a distance of 181.30 feet to the assigned spike in the center line of State Route 66 which was the PLACE of BEGINNING.

The above tract of land contains 165 acres and is subject to being dedicated to the public for highway purposes.

Witness my hand and seal
 this 1st day of June 1886



Witness my hand and seal
 this 1st day of June 1886

Witness my hand and seal
 this 1st day of June 1886

Witness my hand and seal
 this 1st day of June 1886

REVISIONS			Part of the Southeast Quarter of Section 15 T15S R16E German Twp. W.C.	
NO.	DATE	BY	DESCRIPTION	MATERIAL
1			Schmidt to Call	
2			GRAPH BY J. W. SCHMIDT	SCALE 1" = 40'
3			ENGINEER J. W. SCHMIDT	DRAWING NO. 68-5461
4			PLACED	DATE

LOCK-TWO SURVEYING
 5166 LOCK TWO RD, NEW BREMEN, OH
 419-753-3332
 #06015

FILED IN SURVEY BOOK P PAGE 223 IN THE AUGLAIZE COUNTY TAX MAP OFFICE.

JACKSON TWP
 GERMAN TWP
 SECTION 14
 SECTION 15
 P.O.B.
 SEC COR
 SEC 14
 SEC 15

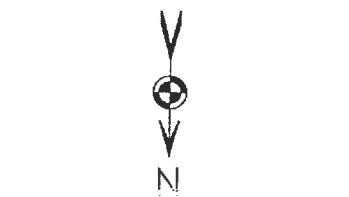
LEGEND

- 5/8x30" IRON PIN (SET) W/ ORANGE PLASTIC CAP STAMPED LOCK TWO 7985
- MAG NAIL (FOUND)
- PK NAIL (FOUND)
- IRON NIFE (FOUND)
- R/W MONUMENT
- MONUMENT BOX W/ 1" IRON PIN

SCALE 1" = 50'

0' 50' 100'

ANGULAR PURPOSES ONLY.

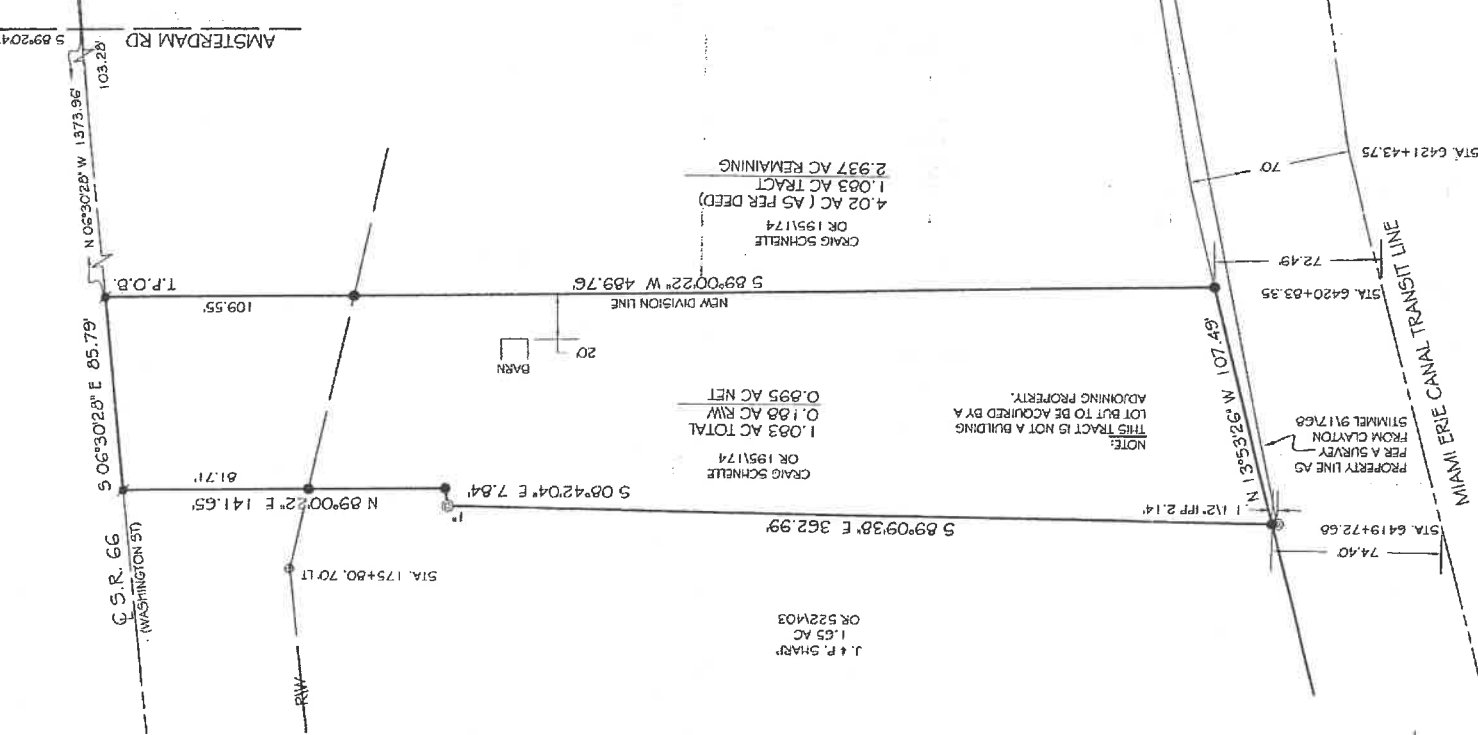


PROFESSIONAL SURVEYOR
 STATE OF OHIO
 CHRISTOPHER S. HARMON
 S-7988

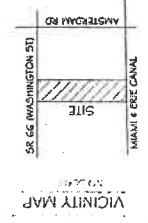
DATE 4/10/06

CHRISTOPHER S. HARMON P.S. #7988

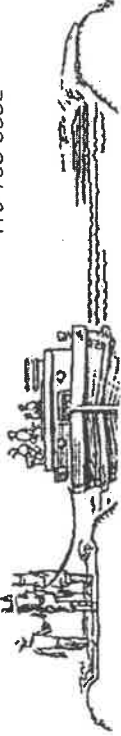
SURVEY NOTE:
 I HEREBY STATE THAT THIS IS A TRUE AND ACCURATE SURVEY AS PERFORMED BY MYSELF IN MARCH, 2006 AND DONE WITHOUT THE BENEFIT OF A TITLE SEARCH.



SCHNELLE SURVEY
 S.E. 1/4 SEC. 15, T.7S, R.4E
 GERMAN TWP., AUGLAIZE COUNTY, OH



Lock Two Surveying, LLP.
5166 Lock Two Rd.
New Bremen, Oh 45869
419-753-3332



Cell: Jenny Samington 419-733-9606
Chris Harmon P.S. 419-733-9607

SCHNELLE SURVEY 1.083 ACRES

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 15 TOWN 7S RANGE 5E, GERMAN TOWNSHIP, AUGLAIZE COUNTY OHIO, AND BEING PART OF THOSE LANDS OWNED BY CRAIG SCHNELLE AS RECORDED IN OFFICIAL RECORD 195, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a Monument Box at the southeast corner of the southeast quarter of said Section 15 and the centerline of Amsterdam Road;

Thence, with the south line of said Section 15 and the centerline of Amsterdam Road, South 89°20'47" West, 412.36 feet to the intersection of Amsterdam Road and the Tangent Line;

Thence, with the Tangent Line and the centerline of State Route 66, North 06°30'28" West, 103.28 feet to the point of intersection of a curve;

Thence, with the centerline of State Route 66, North 06°30'28" West 1270.68 feet to a Mag Nail set; said Mag Nail also marking the True Point of Beginning of the tract herein described;

Thence, with a new division line, South 89°00'22" West, 489.76 feet to a iron pin set in the east line of the Miami Erie Canal, passing for reference at 109.55 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the east line of the Miami Erie Canal, North 13°53'26" West 107.49 feet to a iron pin set;

Thence, with the south line of a 1.65 acre tract owned by J. & P. Sharp as recorded in Official Record 522 Page 403, the following 3 courses;

1. South 89°09'38" East, 362.99 feet to an iron pipe found,
2. South 08°42'04" East, 7.84 feet to an iron pin set;
3. North 89°00'22" East, 141.65 feet to a Mag Nail set in the centerline of State Route 66, passing for reference at 59.94 feet an iron pin set in the west right of way line of State Route 66;

Thence, with the centerline of State Route 66, South 06°30'28" East, 85.79 feet to the True Point of Beginning, containing 1.083 acres more or less of which 0.188 acres lie within the rights of way of State Route 66 and being subject to all legal rights of way, easements, agreements and restrictions of record;

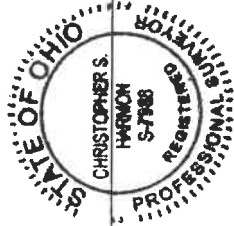
Bearings listed above are assumed and shown for angular purposes only. The deed records referenced are all recorded in the Auglaize County Recorder's Office. Pins noted as set are 5/8" x 30" rebar with orange plastic caps stamped "Lock-Two 7988".

P. B. H.

The above description was prepared by Lock-Two Survey, LLP from a survey performed by Christopher S. Harmon, professional surveyor #7988 in March of 2006 and filed in Survey Book P, Page 323 of the Auglaize County Tax Map Office.

Christopher S. Harmon

Christopher S. Harmon P.S. #7988



4/6/06

Date

P. 323

CORP

ON
Y

C09-015-029-00
6.80058 ac.
VILLAGE OF NEW BREMEN

C09-015-022-00



ORDINANCE NO. O-2021-08-17

AN ORDINANCE AUTHORIZING THE MAYOR
TO ENTER INTO AN ANNEXATION AGREEMENT WITH GERMAN
TOWNSHIP FOR THE PROPOSED ANNEXATION OF PARCELS OF LAND
OWNED BY CRAIG SCHNELLE, PATRICIA J. SHARP AND SUSAN J.
WISSMAN IN GERMAN TOWNSHIP

AN ORDINANCE OF THE VILLAGE OF NEW BREMEN AUTHORIZING ROBERT D. PARKER, MAYOR, ITS AGENT, TO EXECUTE AND ENTER INTO AN ANNEXATION AGREEMENT FOR 2.937 ACRES, 1.650 ACRES, 1.083 ACRES AND 2.920 ACRES IN GERMAN TOWNSHIP AND CONCERNING SERVICES TO PROPERTY PROPOSED FOR ANNEXATION FROM GERMAN TOWNSHIP AND DECLARING AN EMERGENCY.

WHEREAS, a 2.937 acre tract is presently owned by Craig Schnelle in German Township, Auglaize County, Ohio, which is generally described in the legal description and survey attached and is the subject of an annexation petition to be filed with the Auglaize County Commissioner's Office.

WHEREAS, a 1.650 acre tract and a 1.083 acre tract is presently owned by Patricia J. Sharp in German Township, Auglaize County, Ohio, which is generally described in the legal description and survey attached and is the subject of an annexation petition to be filed with the Auglaize County Commissioner's Office.

WHEREAS, a 2.920 acre tract is presently owned by Susan J. Wissman in German Township, Auglaize County, Ohio, which is generally described in the legal description and survey attached and is the subject of an annexation petition to be filed with the Auglaize County Commissioner's Office.

WHEREAS, the petitioners desire to file an expedited type 1 annexation pursuant to Ohio Revised Code Section 709.021 which requires the consent and execution of an annexation agreement by the Village of New Bremen and German Township.

WHEREAS, the Village of New Bremen shall provide necessary services to said property proposed for annexation from German Township.

WHEREAS, the Village of New Bremen desires to execute said annexation agreement as attached,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of New Bremen, a two-thirds majority of the members elected thereto concurring:

SECTION ONE.

That the Village of New Bremen consents to the annexation agreement attached to this

Ordinance. (Agent), hereinafter designated Robert D. Parker, Mayor, is hereby authorized to execute and agree to the Annexation Agreement attached to this Ordinance and the Village of New Bremen, to be bound by all terms and conditions of such annexation agreement.

SECTION TWO.

That the Council of the Village of New Bremen, Ohio, hereby states that services, including water, sewer, police and fire, will be extended to the territory proposed for annexation after said annexation is accomplished. (See attached annexation agreement). The owners shall bear the cost of any infrastructure necessary to have sewer and water available upon the newly annexed territory. (see legal description attached hereinafter)

SECTION THREE

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in compliance with the Law. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance/ordinance were adopted in an open meeting of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

SECTION FOUR:

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the residents of the Village of New Bremen. Therefore, this Ordinance shall be in full force and effect immediately from the date of its Passage and that the Fiscal Officer of this Council be, and she is hereby directed to certify a copy of this Ordinance.

Adopted this the 23th day of August, 2021.



Robert D. Parker, Mayor

ATTEST:



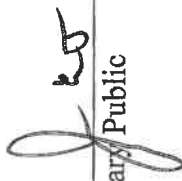
Amy M. Spigelman, Village Fiscal Officer

The State of Ohio, County of Auglaize, ss:

I, Amy M. Speelman, Fiscal Officer of the Village of New Bremen, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original ordinance now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.


Amy M. Speelman
Fiscal Officer

Sworn to in my presence this 23rd day of August, 2021.


Notary Public



JASON E. THIS, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Sec 147.03 R.C.

AFFIDAVIT OF POSTING

STATE OF OHIO, COUNTY OF AUGLAIZE: ss

I, Amy M. Speelman, Village Fiscal Officer, Village of New Bremen, Ohio, being first duly sworn, depose and say that on the 23rd day of August, 2021, I posted Ordinance 2021-08-17 as provided.

Amy M. Speelman
Amy M. Speelman
Fiscal Officer

Sworn to in my presence this 23rd day of August, 2021.

[Signature]
Notary Public



**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 Craig Schnelle (“*Schnelle*”); and Patricia J. Sharp (“*Sharp*”) and Susan J. Wissman (“*Wissman*”) and Village of New Bremen (“*Village*”)

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 August 3, 2021 and adopted by the Township effective the 3rd day of August, 2021, and the Village has agreed to enter into this Agreement by Ordinance No. 2021-08-17, effective the 23rd day of August, 2021;

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 parcels owned exclusively by Craig Schnelle, Patricia J. Sharp and Susan J. Wissman, and the Village of New Bremen, 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 **\$3,117.30** within sixty (60) days of the passage of the Village Ordinance accepting the property proposed for annexation which sums are calculated as follows:

C09-015-016-01 German Township Tax \$31.71 per year
C09-015-015-00 German Township Tax \$230.35 per year
C09-015-016-00 German Township Tax \$48.28 per year
C09-015-017-00 German Township Tax \$313.11 per year

Total of \$623.45 (50%) \$311.73 multiplied by 10 = \$3,117.30

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.
- F. At this time, the present landowners are not receiving village services. Upon annexation, the owners may request and receive village utilities in the same manner afforded to other village residents including the need to pay any necessary tap fees. The process of annexation does not require water and sanitary services, but such need may be dictated by the condition of the owner's systems and any requirement of the health department.
- G. Sidewalks are not required to be installed by the owners of the present property at this time. The Village will not require the present owner to install sidewalks as long as the present owner is the owner of the property. The transfer of the real estate by any subsequent

deed or conveyance shall terminate this requirement and any resulting owner shall be responsible for the installation of sidewalks per the requirements of the Village of New Bremen.

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 Bremen

By:  _____

Its Mayor: Robert Parker

Date: 8/23/2021

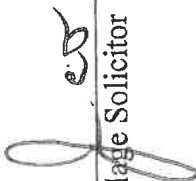
The Board of Trustees For
German Township


By:  _____

By:  _____

By:  _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

 _____
Village Solicitor

 _____
County Prosecutor

IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 2nd day of September, 2021.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the practice of using “Then and Now Certificates” has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of “Then and Now Certificates”, does hereby approve the following:

<u>Check No.</u>	<u>Amount</u>	<u>Vendor</u>
454183	\$1,545.00	Lucas County Forensic Toxi Lab
454203	\$104.99	Kiesler Police Supply

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


Adopted this
2nd day
September, 2021

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


Douglas A. Spencer

ABSENT
David Bambauer


John N. Bergman

cc: County Auditor