

ORDINANCE

3437

ORDINANCE NO. 3437

ACCEPTING APPLICATION FOR ANNEXATION OF 4.059 ACRES OF LAND,  
MORE OR LESS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,  
STATE OF OHIO:

Section 1. That the proposed annexation as applied for in the Petition by B. Anthony Williams and Janet Williams, approved for annexation to the City of Wilmington, Ohio, by the Board of County Commissioners of Clinton County, Ohio, on June 28, 1993, is hereby accepted. The territory to be annexed is described as follows:

PARCEL 1: Situate in Union Township, Clinton County, Ohio, and being a part of M.S. No. 2690 and bounded and described as follows:

Beginning at a 1/2" iron pin (set) in the Southerly right-of-way line of Rombach Avenue and in the Easterly line of a 2.2956 Acre Tract as recorded in Volume 12, Page 220, of the Clinton County Surveyors Record: Running thence, from said point of beginning, with the Southerly right-of-way line of Rombach Avenue, on the following courses: (1) N. 74° 15' 9" E., 153.26 feet to a 1/2" iron pin (set); (2) N. 77° 6' 54" E., 100.13 feet to a concrete monument (found); (3) N. 74° 15' 9" E., 151.79 feet to a 1/2" iron pin (set); thence, by new division lines, on the following courses: (1) S. 16° 19' 11" E., 428.00 feet to a 1/2" iron pin (set); (2) S. 74° 15' 9" W., 405.00 feet to a 1/2" iron pin (set); thence, with the Easterly line of the aforesaid 2.2956 Acre Tract and said line extended, N. 16° 19' 11" W., (passing a 1/2" iron pin (set) at the Southeasterly corner of said 2.2956 Acre Tract at 83.00 feet) a distance of 433.00 feet to the point of beginning, containing Four and Two Thousandths (4.002) Acres. Subject to all easements of record.

This description is the result of a new survey made under the direction of Richard D. Roll, Registered Surveyor No. 4957, by CLINCO Surveyors, Wilmington, Ohio, in March, 1993, as recorded in Volume \_\_\_\_, Plat No. \_\_\_\_, of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the right-of-way plans for Rombach Avenue.

Deed Reference: Volume 173, Page 517, of the Clinton County, Ohio, Deed Records.

PARCEL 2: Situate in Union Township, Clinton County, Ohio, and being a part of M.S. No. 2690 and bounded and described as follows:

Beginning at a pin in the Southerly right-of-way line of Rombach Avenue and in the Easterly line of a 2.2956 Acre Tract as recorded in Volume 12, Page 220, of the Clinton County Surveyors Record. Running thence, from said point of beginning, with the Southerly right-of-way line of Rombach Avenue, S. 74° 15' 9" W., 250.00 feet to a notch in concrete: thence, with the lines of said 2.2956 Acre Tract within the right-of-way of Rombach Avenue, on the following courses: (1) N. 16° 19' 11" W., 10.00 feet to a point; (2) N. 74° 15' 9" E., 250.00 feet to a point; (3) S. 16° 19' 11" E.,

*map changed 2-22-94 mw.*

10.00 feet to the point of beginning, containing  
Fifty Seven Thousandths (0.057) of an Acre.

The certified transcript for the proceedings for annexation, with an accurate map of the territory, together with the Petition for Annexation and other papers relating to the proceedings of the Board of County Commissioners of Clinton County, Ohio, are on file with the Clerk of Council of this City and have been for more than sixty (60) days.

Section 2. The Clerk of Council of the City of Wilmington is directed to make three copies of this ordinance, to each of which shall be attached a copy of the Petition for Annexation, the map or plat accompanying the Petition, a transcript of the proceedings of the Board of County Commissioners of Clinton County, Ohio, and resolutions and ordinances in relation to the annexation, with a certificate to each copy that it is correct. The said Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective.

Section 3. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this 16th day of September, 1993.

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

Approved by me this 16th day of September, 1993.

  
\_\_\_\_\_  
Mayor

COPY

RECEIVED  
CLINTON CO COMMISSIONERS  
*B. Needs*  
CLERK

PETITION FOR ANNEXATION

APR 14 1993

To the Board of County Commissioners of  
Clinton County, State of Ohio

The undersigned, being a majority of the owners of real estate in the following described territory within the Township of Union, County of Clinton, State of Ohio and adjacent to the City of Wilmington, to-wit:

Parcel I: Situate in Union Township, Clinton County, Ohio, and being a part of M.S. No. 2690 and bounded and described as follows:

Beginning at a  $\frac{1}{2}$ " iron pin (set) in the Southerly right-of-way line of Rombach Avenue and in the Easterly line of a 2.2956 Acre Tract as recorded in Volume 12, Page 220, of the Clinton County Surveyors Record: Running thence, from said point of beginning, with the Southerly right-of-way line of Rombach Avenue, on the following courses: (1) N. 74° 15' 9" E., 153.26 feet to a  $\frac{1}{2}$ " iron pin (set); (2) N. 77° 6' 54" E., 100.13 feet to a concrete monument (found); (3) N. 74° 15' 9" E., 151.79 feet to a  $\frac{1}{2}$ " iron pin (set); thence, by new division lines, on the following courses: (1) S. 16° 19' 11" E., 428.00 feet to a  $\frac{1}{2}$ " iron pin (set); (2) S. 74° 15' 9" W., 405.00 feet to a  $\frac{1}{2}$ " iron pin (set); thence, with the Easterly line of the aforesaid 2.2956 Acre Tract and said line extended, N. 16° 19' 11" W., (passing a  $\frac{1}{2}$ " iron pin (set) at the Southeasterly corner of said 2.2956 Acre Tract at 83.00 feet) a distance of 433.00 feet to the point of beginning, containing Four and Two Thousandths (4.002) Acres. Subject to all easements of record.

This description is the result of a new survey made under the direction of Richard D. Roll, Registered Surveyor No. 4957, by CLINCO, Engineers & Surveyors, Wilmington, Ohio, in March, 1993, as recorded in Volume \_\_\_\_\_, Plat No. \_\_\_\_\_, of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the right-of-way plans for Rombach Avenue.

Deed Reference: Volume 173, Page 517, of the Clinton County, Ohio, Deed Records.

Parcel II: Situate in Union Township, Clinton County, Ohio, and being a part of M.S. No. 2690 and bounded and described as follows:



May 24, 1993

The Board of County Commissioners of Clinton County, Ohio, met in regular session on the 24th day of May, 1993, with the following members present: John W. Watson, David R. Stewart and Rick Stanforth.

THE FOLLOWING RESOLUTION WAS MOVED AND ADOPTED ON THIS DATE:

IN THE MATTER  
GRANT PRAYER OF PETITION FOR ANNEXATION  
TO THE VILLAGE OF SABINA FOR CERTAIN  
TERRITORY IN RICHLAND TOWNSHIP  
KAREN BUCKLEY, AGENT

RESOLUTION #93- 457  
By: Stanforth and Stewart

Mr. Stanforth moved the adoption of the following Resolution:

**WHEREAS**, There having been filed with the Clerk of the Board of County Commissioners a petition seeking the approval of the Board of County Commissioners of Clinton County, Ohio to annex the property in said petition described to the Village of Sabina, Clinton County, Ohio; and

**WHEREAS**, This being the date, time and place for a hearing upon said petition for annexation as fixed by this Board in Resolution #93-185; and

**WHEREAS**, It is found that the petition contains all the matters as set forth in Section 709.033 of the Revised Code of Ohio; and that said petition was accompanied by a full description and accurate map or plat of the territory sought to be annexed; and statement of the number of owners of real estate in the territory sought to be annexed; the name of a person or persons to act as agent for the petitioner, that there has been filed proof of publication relating to the notice in the newspaper; that the persons whose names are subscribed to the petition are owners of real estate located in the territory in the petition, and as of the time the petition was filed the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed; that the territory included is not unreasonably large; that the map or plat hereunto filed is accurate and that the general good of the territory sought to be annexed will be served if the annexation petition is granted; therefore,

**BE IT RESOLVED**, By this Board of County Commissioners of Clinton County, Ohio, that the prayer of the petition, filed by Karen Buckley, Agent, seeking annexation to the Village of Sabina, Clinton County, Ohio, of approximately 11.7 acres of land, more or less, adjacent to the Village of Sabina located in Richland Township, and further described in said petition, be and is hereby granted to allow and approve the prayer of said petition; and

**FURTHER, BE IT RESOLVED**, That the Clerk of the Board be and is hereby directed to cause to be deposited with the Clerk of the Village of Sabina, Clinton County, Ohio, the Municipal Corporation to which annexation is proposed by said petition, the following documents:

- 1.) A certified copy of Resolution #93-185, fixing date, time and place of this hearing adopted February 24, 1993.
- 2.) Copy of the original petition and attached plat or map of described territory filed with this Board on February 22, 1993; and
- 3.) Copy of the notice to agent of petitioner notifying date, time and place of hearing.
- 4.) Copy of the "legal notice" and "proof of publication" of same.
- 5.) Copy of this Resolution #93-457, allowing the prayer of the petition.

Mr. Stewart seconded the Resolution and roll call resulted as follows:

Mr. Watson: NP                      Mr. Stewart: YEA                      Mr. Stanforth: YEA

RESOLUTION #93- 457                      ADOPTED                      as of May 24, 1993

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APPROVED: May 24, 1993

Not Present

John W. Watson

David R. Stewart

David R. Stewart

Rick Stanforth

Rick Stanforth

Brenda K. Woods

Brenda K. Woods, Clerk  
Board of County Commissioners  
Clinton County, Ohio

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I, Brenda K. Woods, Clerk of the Board of County Commissioners of Clinton County, Ohio, do certify that the foregoing is a true and correct copy of Resolution #93-457 moved and adopted on the 24th day of May, 1993, and so recorded in the proceedings of that date, Commissioners Journal, Volume 50.

Brenda K. Woods

Brenda K. Woods, Clerk  
Board of County Commissioners  
Clinton County, Ohio

