

Ordinance No. 8-20

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FILED BY MEDCO PROPERTIES, INC. WITH THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, OHIO FOR ANNEXATION TO THE VILLAGE OF PLAIN CITY, OHIO OF CERTAIN TERRITORY, AS PROVIDED BY OHIO REVISED CODE SECTION 709.022, *et seq.*

WHEREAS, Medco Properties, Inc., through their designated agents, filed with the Board of County Commissioners of Madison County, Ohio, a petition to annex to the Village of Plain City, Ohio, 0.6893+/- acres of land, more or less, in Darby Township, Ohio; and

WHEREAS, the Board of County Commissioners of Madison County, Ohio, adopted a resolution on granting the petition for annexation; and

WHEREAS, the Clerk of the Board of County Commissioners of Madison County, Ohio, delivered a certified copy of the record of annexation proceedings to the fiscal officer of the Village of Plain City, in accordance with Ohio Revised Code Section 709.022 (C); and

WHEREAS, sixty days have expired since the delivery of the certified copy of the annexation proceedings to the fiscal officer of the Village of Plain City; and

WHEREAS, Ohio Revised Code Section 709.04 provides that the legislative authority of the Village shall adopt an ordinance or resolution accepting the petition for annexation; and

WHEREAS, it is the intent of the Village Council to respond accordingly.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

- Section 1.** The proposed annexation of 0.6983+/- acres from Darby Township, Madison County, Ohio, to the Village of Plain City, Ohio, is hereby accepted.
- Section 2.** The Fiscal Officer is hereby authorized and directed to make 3 copies of this Ordinance, to each of which shall be attached a copy of the map accompanying the Petition for Annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Fiscal officer shall then 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 of Madison County within 30 days after it becomes effective, and further the Fiscal officer shall do all other things with respect to the action taken by the Ordinance as may be required by law.
- Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of

P.O. Box 618
Courthouse – 1 N. Main St.
London, Ohio 43140
P. 740-852-2972
F. 740-845-1660



Commissioner Mark Forrest
Commissioner David Hunter
Commissioner Dr. Tony Xenikis
Rob Slane, County Administrator
Katie Wiseman, Clerk

February 11, 2020,

To: Village of Plain City

From: Madison County Commissioners Clerk

Reference: Annexation to the Village of Plain City 0.6893+/- Acres

On January 7, 2020 the Madison County Commissioners Office received in an annexation petition for annexation of 0.6893+/- acres in Darby Township, Madison County, Ohio to the Village of Plain City in Ohio. On February 11, 2020 the Board of Madison County Commissioners accepted to expedite this annexation petition.

Enclosed you will find the following:

- The Petition for Annexation 0.6893+/- acres in Darby Township, Madison County, Ohio to the Village of Plain City in Ohio.
- The Board of County Commissioners meeting minutes acceptance for this petition for annexation dated February 11, 2020.
- The Village of Plain City's Resolution.

If you have any questions about the enclosed documents contact the Madison County Commissioners at 740-852-2972.

Thank you,

Katie Wiseman / Clerk
Katie Wiseman/Clerk

Petition for Annexation

MADISON COUNTY
COMMISSIONERS

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MADISON COUNTY, OHIO
PETITION BY OWNERS OF REAL ESTATE FOR ANNEXATION OF 0.6893
ACRES OF LAND MORE OR LESS IN DARBY TOWNSHIP, MADISON
COUNTY, OHIO TO THE VILLAGE OF PLAIN CITY, OHIO UTILIZING
THE SPECIAL PROCEDURE OF SECTION R.C. §709.023 et seq.

2020 JAN - 7 AM 9: 23

The undersigned, being the owners of freehold estates in land adjacent to the Village of Plain City, Madison County, Ohio, herein respectfully petition that the real estate hereinafter described be annexed to the Village of Plain City, Madison County, Ohio.

The territory proposed for annexation contains 0.6893 acres, more or less, in Darby Township, Madison County, and is contiguous and adjacent to the boundary of the Village of Plain City, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understands the property will not be excluded from the township.

An accurate and full description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A".

A map or plat of the territory described in Exhibit "A" and sought to be annexed is attached hereto and made a part hereof as Exhibit "B".

The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.

There is no annexation agreement between the municipality and township pursuant to R.C. §709.192 applicable to this annexation nor an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. §701.07.

For the purposes of this petition, the number of owners required to sign the petition by R.C. §709.021 have signed.

The owners who sign this petition by their signature expressly waive their right to appeal in law or equity from the Board of County Commissioners' entry of any resolution passed under R.C. §709.023 and waive any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in R.C. §709.023 and further waive any rights to seek a variance that would relieve or exempt them from the buffer requirement.

Medco Properties, Inc.

By: Dan Yodanis
Corporate Officer

Developer: The Camber Company, LLC

By: Chris Bradley
Chris Bradley, Principal

LEGAL DESCRIPTION CONTAINING 0.689 TOTAL ACRES

SITUATE IN V.M.S. 8999 & 7929, PLAIN CITY, MADISON COUNTY, OHIO AND BEING PART OF THE LANDS OF MEDCO PROPERTIES, INC, AS RECORDED IN INSTRUMENT # 198700120792 OF THE MADISON COUNTY DEED RECORDS, ON FILE IN LONDON, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET MAG NAIL ON THE WESTERLY LINE OF US 42, AND ON THE SOUTHEAST CORNER OF LOT 3 OF PLAIN CITY COMMONS, AS RECORDED IN PLAT BOOK "B", PAGE 149, IN THE NAME OF WASHINGTON ENTERPRISES IV, LLC, AS RECORDED IN INSTRUMENT 201700005889;

THENCE ALONG THE SAID WESTERLY LINE OF US 42, SOUTH 2°36'15" WEST, A DISTANCE OF 171.06 FEET TO A POINT ON THE EASTERLY SIDE OF A 7.021 ACRE PARCEL OF LAND, BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE 7.021 ACRE TRACT OF SAID MADCO LANDS AND IN PART THE LANDS IN THE NAME OF MARK A & JODI L MCCLISH, AS RECORDED IN INSTRUMENT 201500000083 THE FOLLOWING 3 (THREE) COURSES:

1. NORTH 84°09'43" WEST, A DISTANCE OF 220.54 FEET TO A POINT
2. SOUTH 2°19'43" EAST, A DISTANCE OF 143.28 FEET TO A POINT,
3. SOUTH 85°09'43" EAST, A DISTANCE OF 208.03 FEET TO A SET MAG NAIL IN US 42 ON THE NORTHEAST CORNER OF THE AFORMENTIONED MCCLISH LANDS, PASSING A SET IRON PIN AND CAP AT 37.03'

THENCE ALONG SAID US 42, NORTH 2°36'15" EAST, A DISTANCE OF 138.42 FEET TO THE TRUE POINT OF BEGINNING

CONTAINING: 0.689 TOTAL ACRES. BEING SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS AND RESTRICTIONS OF RECORD.

PARCEL # 02-00293.000

NORTH AND BEARINGS SYSTEM BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM, NAD83, ODOT CORS NETWORK AND A FIELD SURVEY CONDUCTED BY B A LAND PROFESSIONALS ON 8/05/2019. ALL MONUMENTS CALLED TO BE SET ARE 5/8" X 30" REBAR WITH YELLOW IDENTIFICATION CAP STAMPED "BA LAND PROFESSIONALS" UNLESS NOTED OTHERWISE.

Prepared By:

J. Bryant Abt, PS #S-8593

B A Land Professionals, LLC

8534 Yankee Street

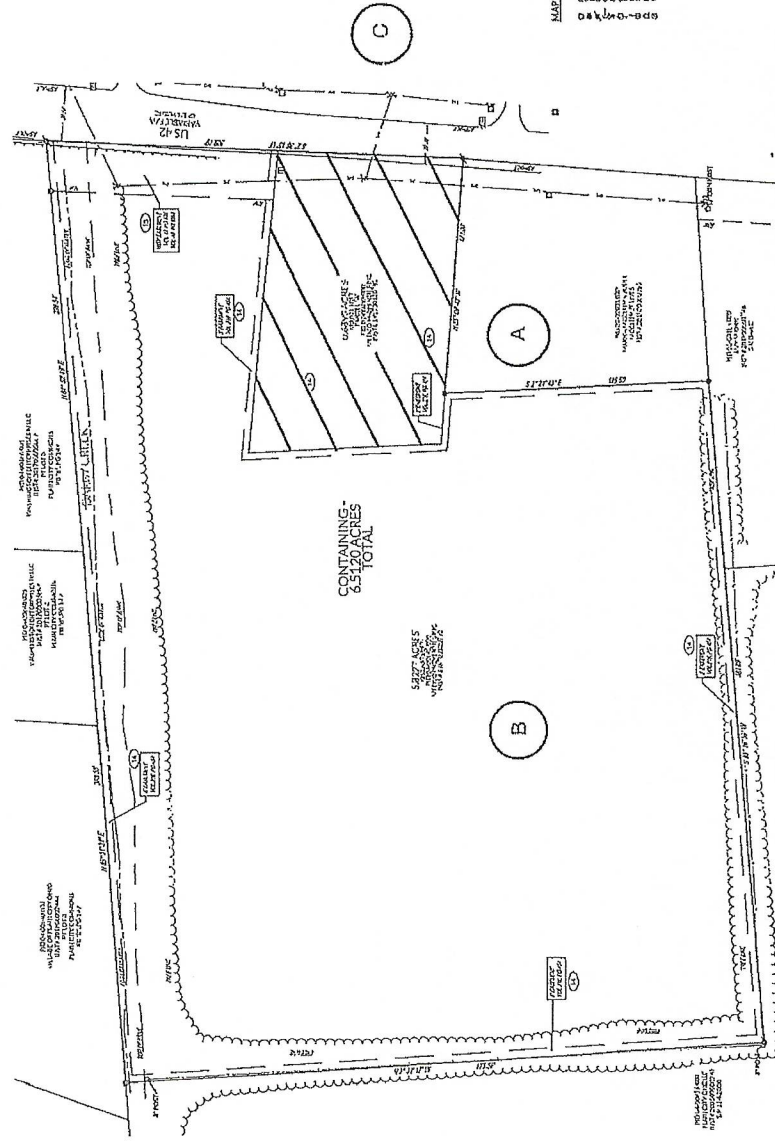
Dayton, OH 45458

info@balandprofesionals.com

www.balandprofesionals.com



ANNEXATION STATE OF OHIO, COUNTY OF MADISON TOWNSHIP OF DARBY, VMS 7929



Proposed Annexation Parcel

DESCRIPTION OF .6886 ACRES
MADISON COUNTY, OHIO

SITUATED IN THE COUNTY OF MADISON IN THE STATE OF OHIO AND IN THE TOWNSHIP OF DARBY AND BOUNDED AND DESCRIBED AS FOLLOWS: PROPERTY DESCRIPTION OF Q. 6886 ACRES OF LAND, VMS 7929, DARBY TOWNSHIP, MADISON COUNTY, OHIO, FRONTING ON U.S. ROUTE 42 (NEAR PLAIN CITY, OHIO), A PORTION OF KATIE FARNWALD LANDS, BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR REFERENCE FROM THE CENTERLINE TO AND PEERY ROAD US ROUTE 42 (WEST PERRY ROAD) DARBY TOWNSHIP MADISON COUNTY, OHIO, MEASURED SOUTHERLY ALONG SAID ROADWAY 1008.00 DISTANCE TO A PIN SET THE WESTERLY ROADWAY BERM AT A CONCRETE BRIDGE OVER BIDWELL-ELSEY DITCH, THENCE WITH A BOUNDARY CALL S. 02° 02' W. 157.48 FEET TO A SPIKE SET IN THE PAVEMENT AND TRUE POINT OF BEGINNING; THENCE S. 02° 02' W. 138.39 FEET TO A PIN; THENCE N. 85° 34' W. 208.03 FEET TO A PIN; THENCE N. 02° 44' W. 143.28 FEET TO A PIN; THENCE S. 84° 34' E. 221.04 FEET TO THE BEGINNING, CONTAINING 0.6886 ACRES OF LAND, VMS 7929. THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT TO OLD REPUBLIC TITLE INSURANCE COMPANY IN COMMITMENT NUMBER 19249, DATED FEBRUARY 21, 2019.

SEAL OF THE COUNTY OF MADISON, OHIO

NOTARY PUBLIC

DATE: 07/20/2019

BY: [Signature]

FOR: [Signature]

TO: THE COUNTY OF MADISON, OHIO, FOR THE PURPOSE OF ANNEXING THE PARCEL OF LAND DESCRIBED IN THE ATTACHED MAP TO THE TOWNSHIP OF DARBY, MADISON COUNTY, OHIO.

Medco Annexation

CAMBER COMPANY

DATE: 07/20/2019

BY: [Signature]

FOR: [Signature]

TO: THE COUNTY OF MADISON, OHIO, FOR THE PURPOSE OF ANNEXING THE PARCEL OF LAND DESCRIBED IN THE ATTACHED MAP TO THE TOWNSHIP OF DARBY, MADISON COUNTY, OHIO.

ANNEXATION

STATE OF OHIO, COUNTY OF MADISON TOWNSHIP OF
DARBY, VIMS 7929

OWNER	ADDRESS	PARCEL ID	AC
MARK A MCCLISH AND JOHN L MCCLISH	10750 US 42 PLAIN CITY, OH 43064	02-00001.000	0.67
MEDCO PROPERTIES INC	10522 US 42 PLAIN CITY, OH 43064	04-00640.000	5.82
JAMES SKAGGS	10779 US 42 PLAIN CITY, OH 43064	02-00186.000	2.06

Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

Section 3. This Ordinance shall take effect at the earliest time allowed by law.

Passed: May 26, 2020.

Attest: Renee Sonnett
Village Fiscal Officer

Darin Lane
Mayor

First reading: April 27, 2020. Vote: ____ yea ____ nay ____ abstain

Second reading: May 11, 2020. Vote: ____ yea ____ nay ____ abstain

Third reading: May 26, 2020. Vote: 6 yea ____ nay ____ abstain

Certificate of Publication

The undersigned, being Village Fiscal Officer of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 123.01 of the Codified Ordinances. The posting was done from _____, 2020 to _____, 2020 at the Office of the Fiscal Officer located at 213 South Chillicothe Street; the Plain City Public Library located at 305 W. Main Street; the Security National Bank located at 105 W. Main Street; the Richwood Banking Co. located at 601 W. Main Street; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: _____, 2020

Village Fiscal Officer