

ORDINANCE NO. 15-2024

AN ORDINANCE AUTHORIZING A PETITION TO THE MADISON COUNTY COMMISSIONERS PER O.R.C. SECTION 709.15 AND 709.16 TO REQUEST THE ANNEXATION OF LAND CONTIGUOUS TO AND OWNED BY THE VILLAGE OF PLAIN CITY

WHEREAS, the Village of Plain City holds title to a certain tract of land as described herein and it is the desire of the Village of Plain City Council to annex said tract of land to the Village of Plain City; and

WHEREAS, Section 709.14 of the Ohio Revised Code requires that a representative be appointed by the Village of Plain City Council to prosecute said annexation proceedings; and

WHEREAS, the land described herein is entirely owned by the Village of Plain City and is contiguous to the Village of Plain City and in the same county as the Village of Plain City.

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 annexation of 4.9867 +/- acres located on Plain-City Georgesville Road to the Village of Plain City is necessary and in the best interest of the Village of Plain City.

Section 2. The Village Administrator is hereby authorized and directed, on behalf of this Council and the Village of Plain City, to present to the Board of the County Commissioners of Madison County, Ohio, a petition praying for the annexation of the herein described property to the Village of Plain City, with said petition attached to this ordinance as Exhibit A, and made a part herein.

Section 3. The Village Administrator is further authorized to file all other documents to prosecute to completion the proceedings necessary to complete the annexation of the herein described tract of land to the Village of Plain City.

Section 4. It is found that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall be effective from and after the earliest period provided by law.

Passed: July 8, 2024

Attest: *Austin Duvier*
Clerk of Council

[Signature]
Mayor
Council President

First reading: June 24, 2024

Vote: ___ yea ___ nay ___ abstain

Second reading: July 8, 2024

Vote: 6 yea 0 nay 0 abstain

Certificate of Publication

The undersigned, being Clerk of Council 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 4.15 of the Codified Ordinances. The posting was done from July 9, 2024 to July 25, 2024 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: July 9, 2024 *Austin Orsinger*
Clerk of Council

PETITION FOR ANNEXATION – MUNICIPAL

The undersigned, being the sole owner of real estate in the territory hereinafter described, hereby petitions for the annexation of the following described territory to the Village of Plain City, Madison County, Ohio, in the manner provided for by Section 709.16 of the Revised Code of Ohio.

Said Petition for annexation was authorized by the Village of Plain City Council through Ordinance [REDACTED]-2024 dated [REDACTED], 2024 and attached hereto and made a part of this petition as “Exhibit A”.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as “Exhibit B”. The described territory is contiguous with the Village of Plain City, Ohio.

Petitioner has attached hereto and made a part of this petition an accurate map or plat of the territory sought to be annexed, marked as “Exhibit C”.

The Village Administrator of the Village of Plain City is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description, and plat by said agent without further expressed consent of the Petitioner.

Signature of Agent

Typed or printed name of agent

Address

Phone Number

Date

Signature of Mayor, Plain City

Typed or printed name of Mayor, Plain City

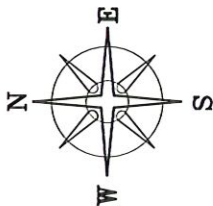
Address

Phone Number

Date

Paul-Michael La Fayette, Law Director
Approved as to Form

BEARINGS ARE BASED ON A
GPS OBSERVATION ON 11/27/23
WCS 1984 GEODETIC NORTH.



DEED REFERENCE

DARBY PARTNERS LLC
OR 359 P 1264

① 3.603 ACRES
02-00365.001

② 1.189 ACRES
02-00051.000

MARK A YODER, TRUSTEE
OR 352 PG 2631
6.25 ACRES
-0.751 AC

3.7738±
ACRES
①

1.2129±
ACRES
②

POB
N=763143.84°
E=1756410.26°

MADISON COUNTY COMMISSIONERS
OR 46 P 318
2.362 TOTAL ACRES (AUDITOR)
0.387 ACRES IN 6WD
04-00828.000

LEGEND

ALL MONUMENTS FOUND OR SET ARE IN
GOOD CONDITION UNLESS OTHERWISE NOTED.

- ① 3/4" x IRON PIPE (FOUND)
- ② IRON PIN (FOUND)
- ③ 14"x14" CONCRETE FENCE POST (FOUND)
- ④ COUNTY MONUMENT 05-027 (FOUND)
- ⑤ RAILROAD SPIKE (FOUND)
- ⑥ MAG NAIL (FOUND)
- ⑦ 5/8" x REBAR & YELLOW PLASTIC CAP STAMPED "CLAPSADLE RLS 6140" (FOUND)
- ⑧ 3/4" x PIPE & YELLOW PLASTIC CAP STAMPED "FRIDAY 7277" (FOUND)
- ⑨ 5/8" x REBAR & YELLOW PLASTIC CAP STAMPED "COTTRILL SURVEYING" (SET)
- ⑩ 5/8" x REBAR & YELLOW PLASTIC CAP STAMPED "EMHART" (FOUND)
- ⑪ 3/4" x PIPE & YELLOW PLASTIC CAP STAMPED "ADVANCED 7661" (FOUND)



I HEREBY CERTIFY THAT THIS PLAT DEPICTS
AN ACTUAL FIELD SURVEY PERFORMED BY
NATHAN L. COTTRILL, P.S. #8821

DATE: 04/30/24

COTTRILL SURVEYING, INC

James R Cottrill, PS Nathan Cottrill, PE PS
15882 US Route 62 NE, Mt. Sterling, Ohio 43143
Office: (740) 869-3811 www.cottrillsurveying.com

1.2129± & 3.7738± ACRES,

VMS 3685 & 5125, DARBY TOWNSHIP,
MADISON COUNTY, STATE OF OHIO.
SURVEYED FOR VILLAGE OF PLAIN CITY

SCALE: 1"= 80'
80' 40' 0'

JOB NO. S240404 CREW: MW
SURVEYED 04/20/24 DWN BY: JRC
DRAWN 04/25/24 CHECK: NC

COTTRILL SURVEYING, INC

15882 US Route 62 SE, Mt. Sterling, Ohio 43143, Ph. 740.869.3811, www.cottrillsurveying.com

1.2129 Acre Tract

Surveyed for Village of Plain City

The following described 1.2129 acre tract is situated in the State of Ohio, Madison County, Darby Township, VMS 5125, being all of a 1.189 acre tract (Parcel 02-00051.000) conveyed to Darby Partners LLC by Official Record 359 page 1264, and being more particularly described as follows:

Beginning at a railroad spike found in the centerline of Plain City-Georgesville Road (County Road 7), in the line between Darby Township and the Village of Plain City, being the West corner of a 3.603 acre tract conveyed to Darby Partnership LLC by Official Record 359 page 1264 and the South corner of said 1.189 acre tract, said railroad spike bears South 72° 53' 59" West a distance of 1949.40 feet from Madison County Monument 05-027;

Thence, with the centerline of Plain City-Georgesville Road and with said Corporation line, **North 32° 36' 24" West** a distance of **200.57 feet** to a railroad spike found corner to Plain City Corporation line;

Thence, with said Corporation line, **North 61° 08' 59" East**, passing a 14"x14" square concrete fence post found at the south corner of a 6.772 acre tract conveyed to Bruce A Ratcliff by Official Record 407 page 2310 at 25.03 feet also passing a 14"x14" square concrete fence post found 245.43 feet, a total distance of **262.43 feet** to a 3/4 inch diameter iron pipe found at a corner to a 6.25 acre tract conveyed to Mark A Yoder, Trustee by Official Record 352 page 2631;

Thence, with the Southwest line of said 6.25 acre tract, **South 33° 29' 25" East** a distance of **200.80 feet** to the Northwest line of said 3.603 acre tract;

Thence, with the Northwest line of said 3.603 acre tract, **South 61° 08' 58" West**, passing an iron pin found at 35.04 feet, passing an iron pin and cap set at 234.95 feet, a total distance of **265.53 feet** returning to the **Point of Beginning**, containing **1.2129 Acres** more or less.

Bearings are based on a GPS observation on November 27, 2023, WGS 1984 Geodetic North.

Subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any.

All iron pins set are 5/8-inch diameter rebar with yellow plastic cap stamped "Cottrill Surveying"

This description is based on an actual field survey performed by Nathan L. Cottrill, PS registration #8821 on April 25, 2024.



A handwritten signature in blue ink that reads "Nathan L. Cottrill".

Nathan L. Cottrill, PS #8821
(Job #S240404-1.2129)

COTTRILL SURVEYING, INC

15882 US Route 62 SE, Mt. Sterling, Ohio 43143, Ph. 740.869.3811, www.cottrillsurveying.com

3.7738 Acre Tract Surveyed for Village of Plain City

The following described 3.7738 acre tract is situated in the State of Ohio, Madison County, Darby Township, VMS 3685 and VMS 5125, being all of a 3.603 acre tract (Parcel 02-00365.001) conveyed to Darby Partners LLC by Official Record 359 page 1264, and being more particularly described as follows:

Beginning at a railroad spike found in the centerline of Plain City-Georgesville Road (County Road 7), in the line between Darby Township and the Village of Plain City, being the South corner of a 1.189 acre tract conveyed to Darby Partnership LLC by Official Record 359 page 1264 and the West corner of said 3.603 acre tract, said railroad spike bears South 72° 53' 59" West a distance of 1949.40 feet from Madison County Monument 05-027;

Thence, with the Southeast line of said 1.189 acre tract, **North 61° 08' 58" East**, passing an iron pin and cap set at 30.58 feet, passing a iron pin found at 230.49 feet, passing a corner to a 6.25 acre tract conveyed to Mark A Yoder, Trustee by Official Record 352 page 2631 at 265.53 feet, a total distance of **342.13 feet** to the Northeast low water mark of the Big Darby Creek and being a corner to said 6.25 acre tract;

Thence, meandering with said low water mark and with said 6.25 acre tract, **South 32° 48' 51" East** a distance of **516.04 feet** to the North corner of a 1.868 acre tract conveyed to Job W and Allison C Shaw, Joint Lives by Official Record 256 page 417;

Thence, with the Northwest line of said 1.868 acre tract, **South 57° 29' 48" West**, passing a 5/8 inch diameter rebar and yellow plastic cap stamped "Clapsaddle RLS 6140" found at 108.90 feet, a total distance of **309.55 feet** to a 3/4 inch diameter iron pipe and yellow plastic cap stamped "Priday 7277" found at the East corner of a 0.387 acre tract (6 WD) conveyed to Madison County Commissioners by Official Record 46 page 318, in the Northeast line of Plain City-Georgesville Road and in the line between Darby Township and the Village of Plain City;

Thence, around said 0.387 acre tract and with said Corporation line with the following three courses:

- 1) **North 31° 54' 57" West** a distance of **359.74 feet** to an iron pin and cap set;
- 2) **North 40° 18' 55" West** a distance of **99.44 feet** to an iron pin and cap set;
- 3) **South 57° 41' 49" West** a distance of **25.00 feet** to a mag nail found in the centerline of Plain City-Georgesville Road;

Thence, with the centerline of Plain City-Georgesville Road and with said Corporation line, **North 32° 23' 53" West** a distance of **79.50 feet** returning to the **Point of Beginning**, containing **3.7738 Acres** more or less.

Bearings are based on a GPS observation on November 27, 2023, WGS 1984 Geodetic North.

Subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any.

All iron pins set are 5/8-inch diameter rebar with yellow plastic cap stamped "Cottrill Surveying"

This description is based on an actual field survey performed by Nathan L. Cottrill, PS registration #8821 on April 25, 2024.



A handwritten signature in blue ink that reads "Nathan L. Cottrill".

Nathan L. Cottrill, PS #8821
(Job #S240404-3.7738)