

RESOLUTION NO. 16-19
VILLAGE OF PLAIN CITY, OHIO

A SERVICE RESOLUTION IN SUPPORT OF THE PROPOSED ANNEXATION OF PROPERTY CONTAINING 104 ACRES MORE OR LESS FROM DARBY TOWNSHIP, MADISON COUNTY, OHIO TO THE VILLAGE OF PLAIN CITY, MADISON COUNTY, OHIO PURSUANT TO THE REQUIREMENT OF SECTION 709.023 OHIO REVISED CODE AND DECLARING AN EMERGENCY.

WHEREAS, a petition has been filed requesting annexation to the Village of Plain City of 104 acres, more or less, of land in Darby Township, Madison County, owned by F&T Hostetler Farms, LLC, et al.; and

WHEREAS, the Ohio Revised Code requires that a municipal legislative authority shall, within twenty days from the date of the filing of the petition seeking annexation, by ordinance or resolution, to state what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and an approximate date by which it will provide the services.

NOW THEREFORE, THE MUNICIPALITY OF PLAIN CITY HEREBY RESOLVES:

Section 1. Upon annexation to the Village of Plain City, Ohio of the territory proposed for annexation, the Village of Plain City will provide full-time police protection, police crime prevention, street maintenance, snow and ice removal, new street construction, traffic control, traffic signalization as necessary, engineering services, code enforcement, waste collection, cultural arts, zoning and planning services and building inspection services. In addition, the facilitation of any and all other services provided to or made available to the Citizens of the Village of Plain City, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations and conditions as the Village deems appropriate. If it is determined that a street or highway will be divided so as to create a road maintenance problem the Village of Plain City agrees as a condition of the annexation to assume the maintenance of that street or highway or to otherwise correct the problem. The services will be available and provided when the Village of Plain City's Ordinance or Resolution accepting the annexation becomes effective as provided by law. The approximate date of providing the services is November 2019.

Section 2. The Clerk is hereby directed to prepare a certified copy of this Resolution and have it filed with the Madison County Board of County Commissioners prior to the Commissioners' annexation review as required by law.

PASSED this 8th day of July, 2019.

Waive 3 readings: July 8, 2019. Vote: 6 yea ___ nay ___ abstain

Approve as Emergency: July 8, 2019. Vote: 6 yea ___ nay ___ abstain

ATTEST:

Renee Smnett
Fiscal Officer, Village of Plain City, Ohio

Darrin Lane
Mayor of the Village of Plain City, Ohio

CERTIFICATE

The undersigned, Fiscal Officer of the Village of Plain City, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 16-19, passed by the Council of the Village of Plain City, Ohio on the 8th day of July, 2019.

Renee Smnett
Fiscal Officer, Village of Plain City, Ohio

Approved as to form.
Paul Michael-Lafayette
Village Solicitor

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MADISON, OHIO**

**PETITION BY OWNER OF REAL ESTATE FOR ANNEXATION
OF 104 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.**

The undersigned, being authorized to represent 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 104 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.

Nathan E. Cahall, whose mailing address is 213 Chillicothe Street, Plain City Ohio, 43064, is hereby appointed agent for the undersigned petitioners, as required by §709.02, Ohio Revised Code; and said petitioner's agent is hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioner's agent is authorized to make such amendments and/or deletions in the petition, map, plat, or description in order to correct any discrepancy or mistake noted by the County Engineer or others in their examination of the petition, map, plat, or description. Amendments to correct the map, plat, or description may be made by the presentation of an amended map or plat and description to the Board of County Commissioners on, before, or after the date set for the hearing of this petition unless otherwise specified by law.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR
RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF
COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION
PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE,
ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO
COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY
LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**

PETITIONER:

F&T Hostetler Farms, LLC
an Ohio limited liability company

By 
Tammy Hostetler

Date Signed: 4-16-19



**DESCRIPTION OF 104.636 ACRES
MADISON COUNTY, OHIO**

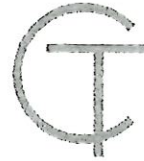
Situated in the State of Ohio, County of Madison, Township of Darby, VMS 8636 & 7753, and being part of that 104.225 acres conveyed to F & T Hostetler Farms LLC of record in Instrument 201312200214, all of record in the Madison County Recorder's office and being more particularly described as follows;

BEGINNING; at a 3/4 inch pipe found at a corner common to Lot 93 of the Village at Plain City, Section 4, a resubdivision of Lot 4 of Plain City Commons, and a 0.572 acre tract conveyed to Dan J Lapp, Trustee, of record in Official Record Volume 294, Page 870, said pipe also being on the existing Village of Plain City corporation line;

Thence, South 19°25'53" West, with said existing corporation line, a distance of 2284.69 feet, to a 5/8 inch rebar found with cap (unreadable) at a corner common with said 104.225 acres and a 99.014 acre tract conveyed to Plain City One LLC, of record in Official Record Volume 199, Page 318;

Thence, South 38°31'49" West, continuing with said existing corporation line and a line common with said 104.225 acres and said 99.014 acres, a distance of 486.10 feet, to a corner common with said 104.225 acres and a 79.50 acre tract conveyed to Norman A. Beachy, of record in Official Record Volume 313, Page 7;

Thence, North 63°56'43" West, leaving said existing corporation line and with a line common to said 104.225 acres and said 79.50 acres, a distance of 2093.60 feet, to a corner common with said 104.225 acres and a 5.9202 acre tract conveyed to Randall Lynn Miller, of record in Official Record Volume 211, Page 200, said common corner also being on the centerline right-of-way of Lafayette Plain City Road (50 feet wide);

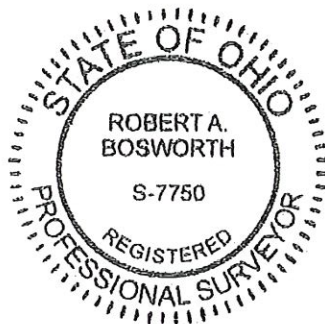


Page

Thence, South 19°25'53" West, with a line common to said 104.225 acres and said 0.572 acres, a distance of 128.63 feet, to the **POINT OF TRUE BEGINNING**, containing 104.636 acres, more or less.

The bearings described herein are based on grid north of the Ohio State Plane coordinate system as observed with GPS during the month of February, 2019.

This description is based on an actual field survey performed by or under the direct supervision of Robert A. Bosworth, registered Surveyor No. 7750 in February of 2019.



Rob Bosworth

Robert A. Bosworth P.S.
Registered Surveyor No. 7750

2-26-2019

Date

ANNEXATION

STATE OF OHIO, COUNTY OF MADISON, TOWNSHIP OF
DARBY, VMS 8635 & 7753

Map #	Owner	Address	PH	AC
A	WATSON ANDON, WATSON ANITA Z	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.607	N/A
B	HUTTER LARRY E, HUTTER MARY E	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.606	N/A
C	CHARTRETT CAROLYN S	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.605	N/A
D	HAURPHY RICHARD K	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.604	N/A
E	SHIFF GARY R, SHIFF HELEN R	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.603	N/A
F	KIDD CARRA A, KIDD MARICA	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.602	N/A
G	BAUM JERRY R	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.601	N/A
H	CRAGO ELLEN S	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.600	N/A
I	WINGERT DELBERT L, WINGERT NAUGHT F	8432 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.599	N/A
J	SCOTT BRUCE, SCOTT MARGARET A	8409 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.598	N/A
K	KEEFER ROBERT, KEEFER MADALYN	8409 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.597	N/A
L	ENGEL NANCY M, ENGEL PETER J	8409 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.596	N/A
M	NAUGHT LESLIE E, NAUGHT JOAN C	8409 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.595	N/A
N	BYRNER SUZAN E	8409 COUNTRY VIEW LN PLAIN CITY, OHIO 43064	04-00812.594	N/A
O	FREY SARAH T	5100 COUNTRY PLACE LN PLAIN CITY, OHIO 43064	04-00812.593	N/A
P	SLANE CATHALINE	5100 COUNTRY PLACE LN PLAIN CITY, OHIO 43064	04-00812.592	N/A
Q	BEACH DOMINIA J	5100 COUNTRY PLACE LN PLAIN CITY, OHIO 43064	04-00812.591	N/A
R	RYMER GEORGINA H	5100 COUNTRY PLACE LN PLAIN CITY, OHIO 43064	04-00812.590	N/A
S	ROBY JOHN G	10050 DORNIC DR PLAIN CITY OH 43064	02-00378.002	1.00
T	LAPP DAN J	6472 PERRY PIKE NE PLAIN CITY OH 43064	02-00372.000	0.57
U	BYRKE DAVID, BYRKE CASSANDRA	530 HARRINGTON DR PLAIN CITY OH 43064	04-00564.000	N/A
V	TINGLE DOMINIA M	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
W	DANIEL WALTER K, DANIEL DANIELLE N RUMER	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
X	SPANGLER BRANDON, SPANGLER MATILYN	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
Y	BUCKER JOHN, JONES JENNIFER	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
Z	LACKY KEVIN	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
AA	NITCHELL STEPHEN D	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
BB	YUTZY SARAH F	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
CC	BEALS RICHARD GLEN, BEALS JUDIA ARN	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
DD	GARNER BRANDON L, GRONER ELODIEH	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
EE	CONNEL ROBERT, CONNEL KRISTEN L	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
FF	HAYES CAMERON N, HAYES ASHLEY S	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
GG	ADAM JENNIFER M, ADAM MARK W	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
HH	CURDAN MATTHEW S, CURDAN HALEY S	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
II	BRINDHAM STEPHANIE HOPK, BRINDHAM WILLEB	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
JJ	YUTZY ERIN E, YUTZY DOROTHY JANE	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
KK	YUTZY ERIN E, YUTZY DOROTHY JANE	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
LL	BEACH DOMINIA J	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
MM	MILLER LINDA S, FREY MARVIN D	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
NN	MILLER RANDALL LYNN, MILLER MELISSA DAWN	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
OO	TROYER KERRY E, TROYER EDITH L	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
PP	TROYER KERRY E, TROYER EDITH L	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
QQ	TROYER JOSEPH E, TROYER DEBRA	1000 WEATHER VALE VY PLAIN CITY OH 43064	04-00564.000	N/A
RR	PLAIN CITY UNITED METHODIST CHURCH INC	240 WEST MAIN ST PLAIN CITY OH 43064	02-00352.000	5.99

PROJECT NO:
190235

DRAWING SCALE:
ANNEX

SHEET:
2

SCALE:
1"=20'

DATE:
08/11/13

DRAWN BY:
JAC

CHECKED BY:
JAC

APPROVED BY:
JAC

NO

REVISION

DATE

HOSTETLER ANNEXATION OF
DARBY TOWNSHIP - THE VILLAGE OF
PLAIN CITY

