

RESOLUTION NO. 17-19  
VILLAGE OF PLAIN CITY, OHIO

**A RESOLUTION REGARDING ZONING BUFFERS IN A 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(C) OHIO REVISED CODE.**

WHEREAS, a petition has been filed with the Madison County Board of County Commissioners 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 where territory sought to be annexed is zoned under Chapter 303 or 519 of the Revised Code that the legislative authority of the municipal corporation adopt an ordinance or resolution stating that if the territory is annexed and becomes subject to zoning by the municipal corporation and the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations on the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, that the owner of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

NOW THEREFORE, THE MUNICIPALITY OF PLAIN CITY HEREBY RESOLVES:

Section 1. The Village of Plain City will provide zoning and planning services to the proposed annexation area. If the Village of Plain City rezones the property to permit uses in the annexed territory that the Village of Plain City determines are clearly incompatible with the uses permitted under the current township zoning regulation on the adjacent land remaining within Darby Township, the Village of Plain City will require, in the zoning ordinance permitting the incompatible uses, that the owner of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining with Darby Township. For the purpose of this section, "buffer" may include open space, landscaping, fences, walls, and other structured elements; street and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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: July 8, 2019.

Attest: Debbie Sonnett  
Village Fiscal Officer

Deann Lane  
Mayor

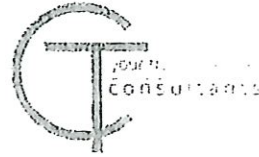
Waive 3 readings: July 8, 2019. Vote: 6 yea \_\_\_ nay \_\_\_ abstain \_\_\_  
Approve as Emergency: July 8, 2019. Vote: \_\_\_ yea \_\_\_ nay \_\_\_ abstain \_\_\_

**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 17-19, passed by the Council of the Village of Plain City, Ohio on the 8th day of July, 2019.

Debbie Sonnett  
Fiscal Officer, Village of Plain City, Ohio

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney



**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);



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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.



*Robert A. Bosworth*

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

2-26-2019  
Date