Instrument Number: 201500004676 Recorded 11/25/2015 10:31:07 AM

BK: 674 PG: 1786 Number of pages

Rec Fees: \$220,00 Cathy S. Recker, Recorder Putnam County, Ohio

# VILLAGE OF OTTOVILLE, OHIO

# ORDINANCE NO. 2015-03

# AN ORDINANCE ACCEPTING ANNEXATION ON APPLICATION OF **FREEHOLDERS**

To accept the application for the annexation of certain territory attached as Exhibit "A" in Monterey Township to the Village of Ottoville.

WHEREAS, a Petition for the annexation of certain territory in Monterey Township was duly filed by Jacqueline J. Schimmoeller by petitioner/Michael A. Burton, Agent; and;

WHEREAS, the Petition was duly considered by the Board of County Commissioners of Putnam County, Ohio, on July 24, 2015; and

WHEREAS, the Board of County Commissioners has approved the annexation of said territory to the Village of Ottoville hereinafter described; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with said annexation with the map to the Village Fiscal Office who received the same on July 27, 2015; and

WHEREAS, sixty (60) days from the date of said filing has now elapsed in accordance with the provisions of ORC 709.04;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL MEMBERS OF THE VILLAGE OF OTTOVILLE, STATE OF OHIO, OR TWO-THIRDS OF ITS MEMBERS CONCURRING THERETO THAT:

SECTION 1. That the proposed annexation as applied for in the Petition by Jacqueline J. Schimmoeller by petitioner/Michael A. Burton, Agent, for the owner of the land sought to be annexed and filed with the Board of County Commissioners of Putnam County, Ohio, on July 9, 2015, and which said Petition prayed for annexation to the Village of Ottoville, Ohio, of certain territory adjacent thereto as hereinafter described, and which said Petition was approved for annexation to the Village of Ottoville by the Board of County Commissioners on July 24, 2015, be and the same is hereby accepted. See Exhibit "B" attached hereto and made a part hereof.

The certified transcript of the proceedings for annexation with an accurate map of said territory, together with other papers relating to the proceedings thereto of said County Commissioners are all on file with the Fiscal Officer of this Village Council and have been for more than sixty (60) days prior to the passage of this Ordinance.

> LAW OFFICES OF Schierloh, O'Malley & Associates, LLC 814 N. Locust Street, P.O. Box 368 OTTAWA, OHIO 45875 (419) 523-56104

SECTION 3. That the Fiscal Officer be, and she is, hereby authorized and directed to make three 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 proceedings of the Board of County Commissioners relating thereto and a Certificate as to the correctness thereof. The Fiscal Officer shall then forthwith deliver one copy to the County Recorder, on copy to the county Auditor, and on copy to the Secretary of State and do all things required by law.

ATTEST:

Jeanne M. Wannemacher

Fiscal Officer, Village of Ottoville

APPROVED:

Ronald N. Miller

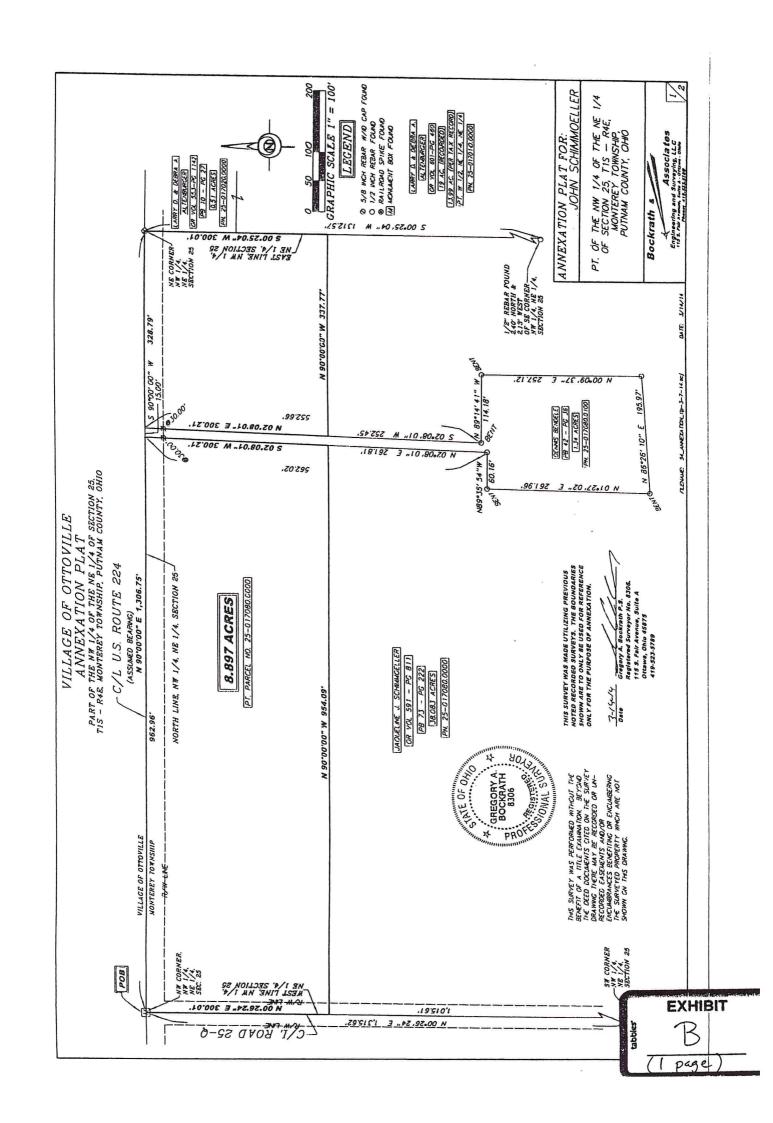
Mayor, Village of Ottoville

PUTNAM COUNTY, OHIO TRANSFERRED

DATE November 25, 2015

Tobat Liberation, A

OS Deputy



COMMISSIONERS
John E. Love
Travis A. Jerwers
Vincent T. Schroeder

# BOARD OF COMMISSIONERS OF PUTNAM COUNTY

245 E. MAIN STREET, SUITE 101 OTTAWA, OHIO 45875-1968 419-523-3656 FAX: 419-523-9213 ADMINISTRATOR

Jack Betscher

CLERK

Betty I. Schroeder

GRANTS/WAGE COORDINATOR

Cindy M. Landwehr

## CERTIFICATION

# FROM THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS

I, Betty Schroeder the undersigned, Clerk of the Board of County Commissioners of Putnam County, Ohio, hereby certify that attached hereto is a true copy of the original resolution, with a copy of the original petition and all documents, approved on July 24, 2015, by the Board of County Commissioners of Putnam County, Ohio, approving the annexation of certain territory to the Village of Ottoville, Ohio, filed by Jacqueline J. Schimmoeller, petitioner/Michael A. Burton, agent for petitioner.

Dated: 1-24-15

Betty Schroeder, Clerk

Board of County Commissioners

Putnam County, Ohio

All documents must be taken to the Putnam County Auditor for processing.

#### ANNEXATION APPROVED VILLAGE OF OTTOVILLE

#### RESOLUTION

The Board of County Commissioners of Putnam County, Ohio, met in regular session on the 24th day of July, 2015, at the office of said Board with the following members present: Mr. John E. Love, Mr. Vincent T. Schroeder and Mr. Travis A. Jerwers.

moved the adoption of the following Resolution: Mr. Jerwers

WHEREAS, The Clerk of the Board of County Commissioners has informed the Board that a petition praying for annexation of certain territory (8.897 acres) in Monterey Township to the Village of Ottoville, Putnam County, Ohio, was filed on the 9th day of July, 2015. and

WHEREAS, Said petition is hereby attached and becomes a part of this Resolution. and

WHEREAS, The owner of the land, which is contiguous with the Village of Ottoville, Ohio, requests that the petition be approved, pursuant to Ohio Revised Code Section 709.021 and 709.022. Attorney Michael A. Burton of Jauert & Burton LLP is appointed agent for the petitioner as required by Revised Code Section 709.02, with full power to amend, alter, change correct, withdraw, refile, substitute, compromise, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of the petition. and

WHEREAS, Monterey Township and The Village of Ottoville have duly approved and signed an annexation agreement, and said parties all consent to the annexation of 8.897 acres to the Village of Ottoville. now therefore, be it

**RESOLVED.** The petition for annexation to the Village of Ottoville is hereby granted. and be it further

RESOLVED, That the clerk is hereby directed to forward a certified copy of the entire record of the annexation to the Clerk of the Village of Ottoville for further processing.

Mr. Schroeder seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

BOARD OF COUNTY COMMISSIO

PUTNAM COUNTY, OHIO

Betty Schroeder, Clerk

BY: bis

# MICHAEL L. LENHART

PUTNAM COUNTY ENGINEER 245 EAST MAIN ST., SUITE 205 OTTAWA, OHIO 45875-1962

> PHONE 419-523-6931 FAX 419-523-6014

The Auditor's tax parcel/parcels petitioned to be annexed are adequately defined with the description/descriptions and plat/maps submitted with the petition.

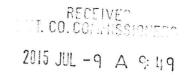
Representative of County Engineer's Office

Signed Tolan E Cross Date 1/20/15

Reference: Section 25 T1N R4E Monterey Township

NPT NW ¼ NE ¼ 8.897 Ac. Parcel No. 25-017080.0200 PB 83 PG 65

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# BOARD OF COUNTY COMMISSIONERS OF PUTNAM COUNTY, OHIO

IN RE:

ANNEXATION TO THE VILLAGE OF \*OTTOVILLE, OHIO, LOCATED IN THE NORTHWEST QUARTER OF \*THE NORTHEAST QUARTER OF SECTION 25, TOWN 1 SOUTH, \*RANGE 4 EAST, MONTEREY TOWNSHIP, PUTNAM COUNTY, \*OHIO (8.897 ACRES)

PETITION FOR ANNEXATION ON APPLICATION OF ALL OWNERS IN ACCORDANCE WITH ORC SECTIONS 709.021 AND 709.022

The undersigned (hereinafter "Petitioner"), being all of the owners of real estate in the territory to be annexed to the Village of Ottoville, Ohio, hereby petitions the Board of County

Commissioners of Putnam County, Ohio pursuant to ORC Sections 709.021 and 709.022 for the

annexation of the following territory to the Village of Ottoville, Putnam County, Ohio:

See the attached Exhibit "A" for the legal description.

The territory is contiguous with the Village of Ottoville, Ohio.

Petitioner has attached hereto and made a part of this petition, an accurate plat of the territory sought to be annexed as Exhibit "B".

Petitioner, Monterey Township of Putnam County, Ohio, and the Village of Ottoville, Ohio have duly approved and signed an Annexation Agreement, which is attached hereto as Exhibit "C". Said parties all consent to the annexation of 8.897 acres to the Village of Ottoville, Ohio.

Attorney Michael A. Burton is appointed agent for Petitioner as required by ORC Section 709.02, with full power to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Date July 7, 2015

Yacqueline J. Schimmoeller, Petitioner

Michael A. Burton, Reg. No. 0064921

Jauert & Burton LLP 103 S. Blackhoof Street

P.O. Box 1957 Wapakoneta, Ohio 45895

(419) 738-9274 Phone (419) 738-3403 Facsimile Agent for Petitioner

S:\Schimmoeller Construction, Inc\Ottoville 8.897 Acre Annexation Plat\2015-06-10 Petition for Annexation.docx

TO BE ANNEXED OT THE VILLAGE OF OTTOVILLE  $8.897~\mathrm{ACRES}$ 

Situated as being part of the Northwest Quarter of the Northeast Quarter of Section 25, Monterey Township, Town 1 South, Range 4 East, Putnam County, Ohio, also being part of a 38.083 acre tract of land as recorded in Plat Book 73, Page 222 of the Putnam County Record of Plats and as recorded in Official Record Volume 591, Page 811 and more particularly described as follows:

Beginning at a Monument box found marking the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 25 and the POINT OF BEGINNING;

Thence North 90°00'00" East along the North line of the Northwest Quarter of the Northeast Quarter of Section 25 (also being the centerline of U.S. Route 224) a distance of 1,036.75 feet to a to a railroad spike found marking the Northeast corner of said Northwest Quarter of the Northeast Quarter of Section 25;

Thence South 00°25'04" West along East line of the Northwest Quarter of the Northeast Quarter of Section 25 a distance of 300.01 feet to a point;

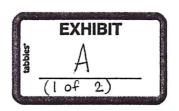
Thence North 90°00'00" West a distance of 337.77 to a point on the East line of a 1.34 acre tract of land as recorded in Plat Book 42, Page 36 of the Putnam County Record of Plats;

Thence North 02°08'01" East along the East line of said 1.34 acre tract a distance of 300.21 feet to a point on the North line of the Northwest Quarter of the Northeast Quarter of Section 25, passing a 5/8 inch rebar with ID cap found at 270.21 feet;

Thence North 90°00'00" West along said North line (centerline of U.S. Route 224) distance of 15.00 feet to a point marking the Northwest corner of said 1.34 acre tract;

Thence South 02°08'01" West along the West line of said 1.34 acre tract a distance of 300.21 feet to a point and passing a 5/8 inch rebar with ID cap found at 30.00 feet;

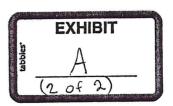
Thence North 90°00'00" West a distance of 954.09 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of Section 25;

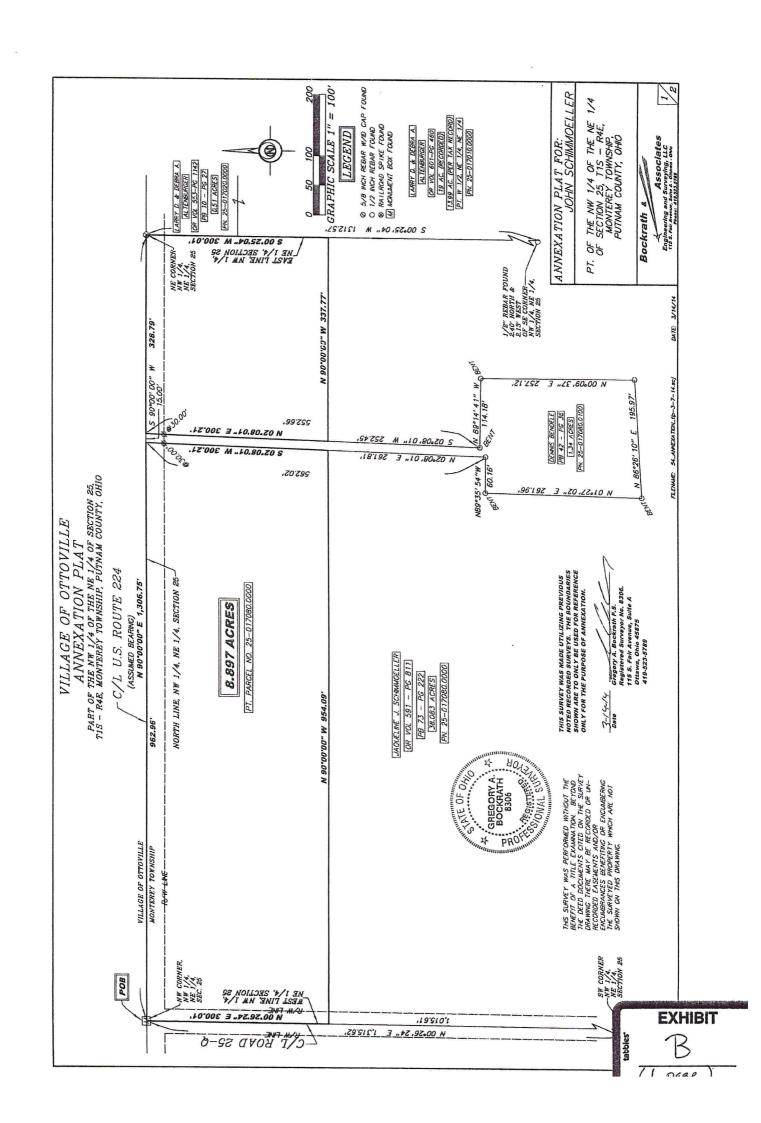


Thence North 00°26'24" East along said West line and the centerline of Road 25-Q a distance of 300.01 to the POINT OF BEGINNING, said tract containing 8.897 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in March, 2008, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the North line of the Northwest Quarter of the Northeast Quarter of Section 25 (also being the centerline of U.S. Route 224) to be North 90°00'00" East and are for the purpose of angle determination only.





# ANNEXATION AGREEMENT (Pursuant to R.C. 709.022)

This Agreement is entered into this 15 day of May, 2015, between the Village of Ottoville, Ohio (the "Village"); the Board of Township Trustees of Monterey Township, Putnam County, Ohio (the "Township"); and Jacqueline J. Schimmoeller, (the "Petitioner"); pursuant to R.C. Sections 709.021, 709.022, and 709.192.

WHEREAS, Petitioner is the sole owner of approximately 8.897 acres of real estate (the "Property"), located in Monterey Township, Putnam County, Ohio, presently being a part of Parcel Number 25-017080.0000, with a legal description described as follows:

# SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

WHEREAS, Petitioner desires to annex the Property to the Village pursuant to the expedited process of annexation set forth in R.C. 709.021 and 709.022; and

WHEREAS, said Property is adjacent to and contiguous to the Village; and

WHEREAS, the Village and the Township, by Resolution or Ordinance duly adopted by their legislative authorities each have determined that it is in the best interest of all parties involved to enter into this Annexation Agreement (the "Agreement") as provided in R.C. 709.192. See copies of said legislation of the Village and Township attached hereto as Exhibits "C" and "D".

NOW, THEREFORE, in consideration of the above recitals and in consideration of the mutual benefits and promises hereinafter contained, the parties agree as follows:

1. <u>Village Consent and Agreement</u>. The Village consents to the annexation of the Property into the Village and agrees to provide sanitation, police, fire, emergency services to the Property, and any subsequent occupants or residents, at the same cost and under the same policies and conditions that such services are provided to other occupants and residents of the Village.

Petitioner, and subsequent owners of the Property, may access the water line along the north side of U.S. Route 224 at Petitioner's expense and consistent with the Village's rules and regulations. Petitioner shall dispose of any storm water in accordance with the Village's rules and regulations.

The Village shall permit Petitioner, or any subsequent owners of the Property, a total of one (1) tap into the Village's forced main sewer line located on the Property, just south of U.S. Route 224, at Petitioner's expense.

The Village shall pay for a tap into the existing sanitary sewer lift station wet well near the west boundary of the Property, and extend an eight (8) inch public gravity sanitary sewer to the current southern corporation limit line, being the middle of U.S. Route 224. Petitioner shall pay for the remainder of said eight (8) inch gravity sanitary sewer to the southern right-of-way line of U.S. Route 224, and any subsequent expansion.

The Village shall pay for and extend an eight (8) inch public waterline to the current southern corporation limit line, being the middle of U.S. Route 224. Petitioner shall pay for the remainder of said eight (8) inch public waterline to the southern right-of-away line of U.S. Route 224, and any subsequent expansion.

- 2. Township Consent. The Township consents to the annexation of the Property into the Village.
- 3. <u>Petitioner's Consent</u>. The Petitioner consents to the annexation of the Property into the Village pursuant to the terms and conditions of this Agreement.
- 4. The Property/Zoning/CRA. The Property subject to this Agreement shall consist of 8.897 acres located in Monterey Township, Putnam County, Ohio, as depicted on the map attached hereto as Exhibit "B". The legal description of the Property is attached hereto as Exhibit "A".

Concurrent with annexation pursuant to this Agreement, the Village agrees the Property will be zoned Business or Commercial, with a designation of a "B" pursuant to Sections 500 and 533 of the Village's Zoning Ordinance Number 288 passed April 6, 1998.

Village shall amend the dimensions of its Community Reinvestment Area ("CRA") to include the Property in the CRA area after annexation. Petitioner acknowledges future development at the Property shall need to complete the CRA application and approval process to receive any tax abatements.

- 5. <u>Mutual Cooperation</u>. Petitioner shall prepare and file an Annexation Petition (the "Petition") with the Putnam County Commissioners pursuant to R.C. 709.022, at Petitioner's expense to annex the Property to the Village. The parties hereto shall cooperate with one another and shall provide whatever cooperation and further assurances are necessary to enable the Petition to be completed and granted.
- 6. <u>Tax Distribution</u>. Following the annexation of the Property, real estate taxes shall be divided between the Village and the Township pursuant to the Revenue Sharing Agreement between said parties dated July and September, 1997 and being Ordinance #282 of the Village.
- 7. Severability. In the event any one or more of the provision of this Agreement are held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement. Such provisions shall be modified in order to best preserve the intentions of the Village, the Township, and Petitioner. The Agreement as modified shall remain in full force and effect. If such provisions cannot be so modified, then such provisions shall be severed and the remaining provisions of the Agreement shall remain in full force and effect.
- 8. <u>Governing Law</u>. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.
- 9. <u>Binding Effect</u>. The Agreement shall inure to the benefit of and shall be bind upon the Village, the Township and the Petitioner, their legal representatives, successors and assigns.
- 10. <u>Entire Agreement</u>. This Agreement constitutes the entire agreement of the parties and may be amended or modified only through a writing duly executed by the Village, the Township and Petitioner as authorized by R.C. 709.192. All prior agreements between the parties, either written or oral, are superseded by this Agreement.

The Village, the Township, and Petitioner have executed this Agreement on the date first stated above.

VILLAGE OF OTTOVILLE, OHIO

By: Ronald Miller, Mayor

By Jeanne Mannemac Vannemac Vannemacher, Fiscal Officer

Jacqueline J. Schimmoeller, Petitioner

MONTEREY TOWNSHIP, PUTNAM COUNTY, OHIO

Steve Hilvers Trustee

Rodney Beining, Trustee

By: // North Williams By: Virgil Miller, Trustee

APPROVED AS TO LEGAL FORM:

By: We a Un

Theresa Von Sossan

Solicitor, Village of Ottoville, Ohio

s:\schimmoeller construction, inc\2015-05-04 annexation agreement final.docx

TO BE ANNEXED OT THE VILLAGE OF OTTOVILLE 8.897 ACRES

Situated as being part of the Northwest Quarter of the Northeast Quarter of Section 25, Monterey Township, Town 1 South, Range 4 East, Putnam County, Ohio, also being part of a 38.083 acre tract of land as recorded in Plat Book 73, Page 222 of the Putnam County Record of Plats and as recorded in Official Record Volume 591, Page 811 and more particularly described as follows:

Beginning at a Monument box found marking the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 25 and the POINT OF BEGINNING;

Thence North 90°00'00" East along the North line of the Northwest Quarter of the Northeast Quarter of Section 25 (also being the centerline of U.S. Route 224) a distance of 1,036.75 feet to a to a railroad spike found marking the Northeast corner of said Northwest Quarter of the Northeast Quarter of Section 25;

Thence South 00°25'04" West along East line of the Northwest Quarter of the Northeast Quarter of Section 25 a distance of 300.01 feet to a point;

Thence North 90°00'00" West a distance of 337.77 to a point on the East line of a 1.34 acre tract of land as recorded in Plat Book 42, Page 36 of the Putnam County Record of Plats;

Thence North 02°08'01" East along the East line of said 1.34 acre tract a distance of 300.21 feet to a point on the North line of the Northwest Quarter of the Northeast Quarter of Section 25, passing a 5/8 inch rebar with ID cap found at 270.21 feet;

Thence North 90°00'00" West along said North line (centerline of U.S. Route 224) distance of 15.00 feet to a point marking the Northwest corner of said 1.34 acre tract;

Thence South 02°08'01" West along the West line of said 1.34 acre tract a distance of 300.21 feet to a point and passing a 5/8 inch rebar with ID cap found at 30.00 feet;

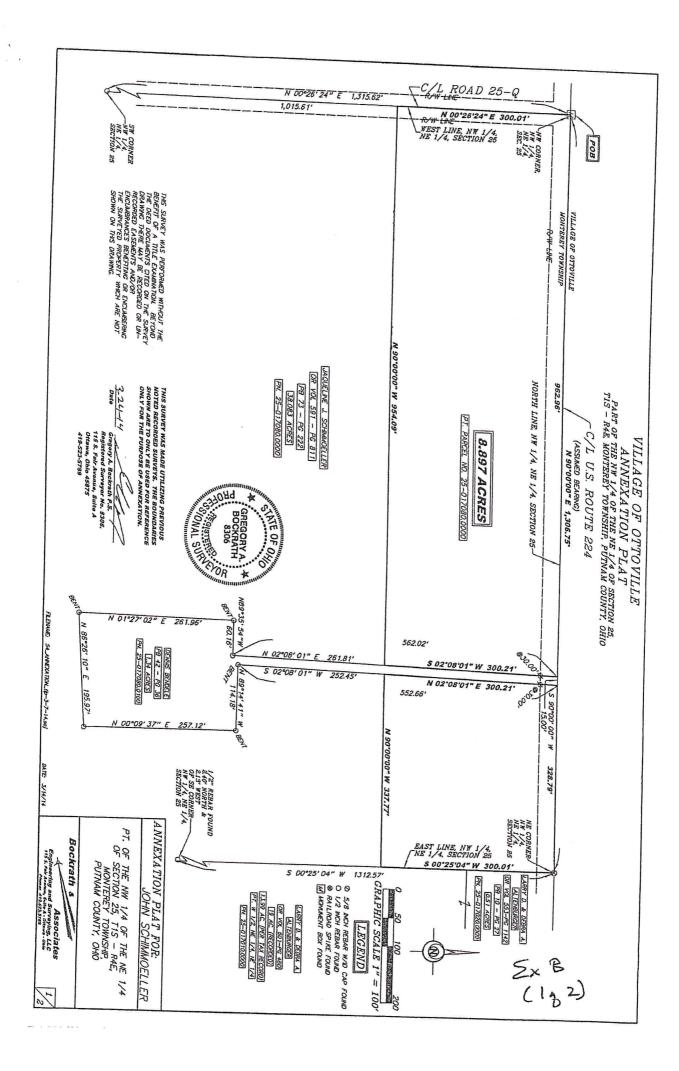
Thence North 90°00'00" West a distance of 954.09 feet to a point on the West line of the Northwest Quarter of the Northeast Quarter of Section 25;

Ex A (182)

Thence North 00°26'24" East along said West line and the centerline of Road 25-Q a distance of 300.01 to the POINT OF BEGINNING, said tract containing 8.897 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in March, 2008, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the North line of the Northwest Quarter of the Northeast Quarter of Section 25 (also being the centerline of U.S. Route 224) to be North 90°00'00" East and are for the purpose of angle determination only.



# VILLAGE OF OTTOVILLE ANNEXATION PLAT

# LEGAL DESCRIPTION

MCQUELINE I SCHIMMOELLER TACOUELINE I SCHMMOELLER

PRINTED SIGNA TURE

DATE

Beginning at a Montment has former	Situated as being part of the Northwest Quarter of the Northeast Quarter of Section 25, Montacry Tomashy, Town, 1 South, Range 4 East, Puttam County, Dilio, also being part of a 38,083 tacta (tract of land as recorded in Plat Book 33, Page 222 of the Puttam County Record of Plats and as recorded in Official Record Volume 551, Page 811 and more particularly described as follows:	TO BE ANNEXED OT THE VILLAGE OF OTTOVILLE B.897 ACRES

Northwest carner of the Northwest Coarter of the Northeast Cuarter of Section 25 and the POINT OF BEGINNING.

Thence South 00°25' 04" West along East line of the Northwest Quarter of the Northwest Quarter of Section 25 a distance of J00.01 feet to a point; Thence North 90°00' 00" East along the North line of the Northwest Owarter of the Northeast Quarter of Section 25 (also being the centerline of U.S. Route 224) a distance of 1,036,73 feet to a to a railroad spike found marking the Northeast Care of said Northwest Owarter of said Northwest Owarter of said Northwest Owarter of said Northwest Owarter of Section 25;

Thence North 02°08' 01" East along the East line of sold 1.34 acre tract a distance of J00.21 feet to a point on the North line of the Northwest Quarter of the Northness Quarter of the Northness Quarter of Section 25, passing a 5.78 inch rebar with Ø cap found at 270.21 feet; Thence North 90°00'00" West a distance of 337.77 to a point on the East line of a 1.34 acre tract of land as recorded in Pata Book 42, Page 35 of the Putnam County Record of Plats:

Thence North 90°00' 00" West along said North line (centerline of U.S. Route 224) distance of 15.00 feet to a point marking the Northwest corner of said 1.34 acre tract;

Thence South 02°00' 01" Wast along the Hest line of said 1.34 acre tract a distance of 300.21 feet to a point and passing a 5/8 inch rebar with 10 cap found at 30.00 feet;

Thence North 90°00' 00" West a distance of 954.09 feet to point on the West line of the Northwest Quarter of the Northeast Quarter of the

Thence North 00°26' 24" East along said West line and the centerline of Road 25-0 a distance of 30001 to the POWT BECHNAMS, said tract containing 8,897 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in March, 2008, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the North line of the Northwest Carter of the Northeast Quarter of Section 25 (250 being the centerine of U.S. Route 224) to be North 90°000 (250 being the centerine of U.S. Route 224) to be North 90°000 (250 being the centerine of the purpose of angle

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STATE OF OHIO, COUNTY OF PUTNAM SS

AS WITHESS WHEREOF AND HAVE HERELATIC SET MY HAND AND AFFIKED MY OFFICIAL SEAL 7014. BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAD COUNTY AND STATE PERSONALLY APPEARED THE ABOVE MAILED WHO ACKNOMICEDE THAT THEY ARE THE DIMMER OF THE LANDS SHOWN IN THE ACCOMPANYING PLAT AND THAT THE SKIWNG THERE OF IS THERE (DIMMER) FREE ACT AND DEED.

MY COMMISSION EXPIRES DATE MOTARY PUBLIC SIGNA TURE

DATE

WOTARY PUBLIC PRINTED

HE THE BOARD OF THE MITTHEW COUNTY COMMISSIONERS OF OWN, DO MERCEN APPROVE THIS PLAT MON THE THE OWN DESCRIPTION OF THE WALKEN TO THE WILLIAM OF THE THE OWN T WARRING TO THE SOUTH Schrade

TRAVE SCHERS WE PRESDETT

ACCEPTANCE

MEANNE WANNEWACHER, FISCAL OFFICER

FILENAME: 54\_ANNEXATION\_tb-3-7-14.scj

DATE 3/14/14

CERTIFICA TIONS

THE UNDERSONED, BEING THE OWNER OF LAND SITUATED IN THE TOWNSHIP OF MOVINGENT OWNER OF STORM, AND ADMICENT TO THE MILLIAGE OF OTTOWILLE, CANSENT TO THE MILLIAGE OF OTTOWILLE, OND,

L THE PUTNAM COUNTY AUDITOR, DO HEREBY APPROVE THIS PLAT AND ACCEPT SAD DESCRIBED PROPERTY FOR AMERICATION ON THIS MALACE OF OTTOWNLE MC, PUTNAM CO. OHO, ON THIS DAY OF

PUTNAM COUNTY AUDITOR ROBERT L. BENROTH

2x 5

2)

(. THE PUTTAM COUNTY RECORDER DO HEREBY CERTIFY THAT THIS PEAN RECORDED IN THE PUTTAM COUNTY PLAT PAGE PAGE 2014.

FEE

PUTNAM COUNTY RECORDER, CATHY RECKER

SURVEYOR'S CERTIFICATE

I DO MEREBY CERTIFY THAT I HAVE SURVEYED THE PREMISES AND PREPARED THE ATTACHED PLAT AND THAT SAD PLAT IS CORRECT, AND THAT THE HAVMMENTS AND RON PAS HAVE BEEN SET AS NOOCATED ON THIS PLAT.

ANNEXATION PLAT FOR JOHN SCHIMMOELLER

OF THE NW 1/4 OF THE NE
OF SECTION 25, TIS — R4E,
MONTEREY TOWNSHIP,
PUTNAM COUNTY, OHIO 1/4

ASSOCIATES
Engineering and Surveying, LLC
113 S. Fab Aresure, Suite A - Ottome - Otto
Phone: 410.521.5789 10

Bockrath s

# RECORD OF PROCEEDINGS

	Village of Ottoville Council	Meeting .
DAYTON LEGAL BLANK, INC., FORM NO 10146		and the second s
Held	May 4, 2015	20
	hama andersee promoting of and monotonic service is also to be a promoting and an analysis of the second service and a second second service and a second service and a second second service and a second se	Comment of the commen
Members of Villa Municipal Center of Otto	ge Council met this day in regular session ville. Ohio at 7:00 pm	in Council chambers,

Present

Jerold Markward

Darren Leis

Carl Byrne

Joseph Moreno Randolph J. Altenburger

Karen Hoersten

Solicitor:

Theresa Von Sosson

Guests. Mike Burlon, annexation; Kevin Connell & Jeff Basinger, Celadon Trucking; Pat & Tonya Vetter, Main St. Market; Phil Hilvers & Dan Honigford BPA Board; Adam Schnipke, Schnipke Contracting; Matt Fiedler resident, & residents.

Presiding:

Ronald N. Miller, Mayor

The meeting was opened with members reciting the Pledge of Allegiance.

Minutes of the March 23, 2015 regular meeting was provided to each Council member prior to the meeting and approved as written. There was no meeting held in April 2015.

Mr. Altenburger made a motion to approve bills presented for payment (see register attached), second by Mr. Leis. Vote: Altenburger, yes; Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes.

Mr. Byrne made a motion to approve Roger Miller continue to represent the Village as the Putnam County Port Authority representative, second by Mr. Leis. Vote: Altenburger, yes; Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes.

Quotes for the Ottoville Volunteer Fire Department insurance on equipment, vehicles, & liability were requested from Niedecken Insurance, Farmer's Mutual Insurance, Beck Insurance, and Randy Altenburger Insurance. One quote was received from Randy Altenburger Insurance. Mr. Moreno made a motion to accept the quote from Randy Altenburger Insurance for a cost of \$7,787.00, second by Mrs. Hoersten. Vote: Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes. Altenburger abstains.

Mr. Mike Burton, attorney for John Schimmoeller was present to request council approve the annexation agreement, 8.897 acres of property across from Ottoville Local School. Mr. Markward moved to accept agreement second by Mr. Byrne. Vote: Markward, yes; Byrne, yes; Moreno, yes; Altenburger, yes; Hoersten, no; & Leis, no.

Pat & Tonya Vetter were present to request council vacate Dollar Street. Pat stated the street is crumbling & a safety concern. Mr. Kevin Connell (attorney) & Jeff Basinger representing Celadon Trucking were also present. They requested Dollar Street not be vacated because their trucks need a place to pull in off US224. Mr. Leis suggested the possibility of turning Dollar Street north and south between both properties. After much discussion council decided to table this issue until Celadon Trucking owners can be contacted and more information can be obtained.

Board of Public Affairs members Phil Hilvers, & Dan Honigford reported:

- o The waterline being extended on Progressive Drive was discussed.
- Adkins Sanitation is finished videotaping the sanitary sewer lines. Overall the lines look good. There are a few spots which need repaired. Some sanitary lines were jetted out to remove debris. A report will be forth coming to both the Village & to Choice One Engineering.
- o Council discussed the request to join the Putnam County Regional Water & Sewer District. A draft ordinance was presented. After discussion council requested something in writing stating that the village can opt out if they so choose. Council also would like an idea on the Administration costs for the District.





#### RECORD OF PROCEEDINGS

1300	KEGOKE OF TROCEEDINGS	,
Minutes of	Village of Ottoville Council	Meeting
YOUNGERAL BLANK, INC., FORM	NO 10149	to the second second second second
Held	May 4, 2015	20
464 (B)V		

 The emergency stand by pump for the sanitary sewer plant is repaired and running. Maintenance will purchase any connections and hoses needed for this pump to be ready to use when needed. It will be prepared for hookup to run the SR66 lift station.

Ottoville Volunteer Fire Chief Dan Honigford was present to offer two quotes to replace be roof on the fire station: M&W Construction \$27,380.00 and Schnipke Contracting LLC \$24,700.00. Mr. Byrne moved to hire Schnipke Contracting LLC second by Mr. Leis. Vote: Allenburger, yes; Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes.

Matt Fiedler was present to discuss a proposed junk ordinance. He has cars parked on his lawn and driveway with flat tires and no current license plates.

Mayor Miller informed council that Progressive Stamping Inc. requests "first right of inclusal" on the Village owned 12.493 acres of ground at the north edge of their property. They also requested free water & sewer taps for this plat, and requested the Village agree to put the gound back to its original state after extension of the Progressive Drive waterline north to Road This is all in exchange for Progressive Stamping Inc. deeding over 30' of Progressive Drive along the west edge of lot #490. Council discussed limiting the time allowed for this "first right of refusal" to 10 years.

Council was reminded that the May regular council meeting would be held on May 18, 2015 due to the Memorial Holiday. It will be at the regular time of 7pm.

After discussions with ODOT council was informed that the Village must pay for naterials to repair SR66 south. ODOT would supply the labor. Two estimates for materials we received from ODOT: \$3840.00 & \$5,440.00. Mr. Leis made a motion to accept the quote \$1,33,840.00 second by Mrs. Hoersten. Vote: Altenburger, yes; Markward, yes; Leis, yes; Jyne, yes, Hoersten, yes; & Moreno, yes.

Mayor Miller informed council that he had been contacted by Monterey Township. They had requested to use the trailer which the Village built for cold mix. The township had neviously been asked to share the cost to build this trailer, which they refused. Council at this trailer it was ok for them to use this trailer.

Laurence Miller POA for Molly Pease had been contacted and requested a 15' easement for a 12" storm sewer line along the north edge of the property on the east side of South Otto Street. This easement will be drawn up and presented to him.

The Village will also obtain a 20' easement for a 30" storm line to be placed between with and Sixth Streets parallel to Gilbert Drive. This will then connect to the storm line being constructed on Bendele Street, and in the Bendele Triangle Subdivision.

Council discussed the possibility of overlaying asphalt on the Day Care alley. Prices will be obtained and property owners may be contacted.

Adam Schnipke Ottoville Chamber President was welcomed to the meeting. He was present to inform council that the Chamber is looking for future projects. They recently puchased new flags for the street lights. They may purchase new street lights for other streets.

Mr. Byrne made a motion to donate \$1,500.00 to the Putnam County CIC which includes Mayor Miller's membership. This motion was second by Mr. Moreno. Vote: Altenburger, yes; Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes.

At 9:13pm Mrs. Hoersten made a motion to go into executive session for complaints painst a public employee second by Mr. Moreno. Roll call Vote: Altenburger, yes; Markward, Jes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes.

Ex. C (2 af 3)

	J Š U č Minutes of	RECORD OF PROCEEDINGS  Village of Ottoville Council
	Held	May 4, 2015
	Alex Burgei C placing an entrance si south park entrance. I sign cost of \$63.50, se	r. Leis moved to come out of executive session second by Mr. Moreno, es; Markward, yes; Leis, yes; Byrne, yes, Hoersten, yes; & Moreno, yes. Ottoville Eagle Scout applicant was present to inform council that he will be gn at the north drive of the park. It will be very similar to the sign at the Mr. Moreno moved to pay for 52' of "interduct" for the electric for this econd by Mrs. Hoersten. Vote: Altenburger, yes; Markward, yes; Leis, sten, yes; & Moreno, yes.
	With no furthe	er business meeting was adjourned at 9:30 p.m.
The second secon	Pernalda a Mayor	Miller Lamer Dannenacler Fiscal Officer

# RECORD OF PROCEEDINGS MONTEREY TOWNSHIP TRUSTEES REGULAR SESSION

\_March 16, 2015

The Board of Trustees of Monterey Township met in regular session on March 16, 2015. President Virgil Miller called the meeting to order at 7:30 p.m. with Trustees Rodney Beining and Steve Hilvers were present. Fiscal Officer Joyce Wehri, Eric Schnipke and Dan Landin also attended the meeting.

A motion was made by Steve to approve warrants #14048 through #14055, as well as EFTs #10 and #11 all totaling \$9,474.48. Rodney seconded, motion carried. Dan's timesheet for period ending March 15, 2015 was reviewed and approved by the Board. Joyce discussed the pros and cons of changing the maintenance man's payroll from a semi-monthly to a bi-weekly pay period Steve made a motion by Resolution #02-2015, to change the Maintenance Man employee position to a bi-weekly pay period. Virgil seconded, motion carried. The Board discussed the impact of IRS bulletin #07-2015, regarding the compliance of the Affordable Healthcare Act. The referenced bulletin states "that reimbursement of an employee's premium is not in compliance". Steve made a motion for all re-imbursements of Healthcare Premiums made to officials and employee of Monterey Township for Fiscal Year 2015 be returned to the Township and any further reimbursement is suspended at this time. Rodney seconded, motion carried. Steve made a motion by Resolution #03-2015 to pay the maintenance man a second hourly rate to reflect the cost of his spousal premium paid for year beginning January 1, 2015, and subject to change annually on said date Virgil seconded, motion carried. Steve made a motion to pay Dan Landin \$2.33 per hour retroactive to January 1, 2015 for calendar year 2015 as stipulated in Resolution #03-2015. Virgil Miller seconded, motion carried. Joyce advised the Township has received a payment of \$971.72 per our Revenue Sharing Annexation Agreement with the Village of Ottoville. The Township has also received \$4,479.84 in Estate Tax Revenue from the Putnam County Treasurer. The Board noted \$113,811.42 in revenue received from Real Estate Taxes has been collected in 2014 and distributed 2015. The Ohio Bureau of Worker's Compensation has sent a notice regarding its intent to audit our payroll for year 2014. An appointment has not been scheduled due to the fact the 2014 files are currently in the possession of State Auditor Jayme Prashun. Joyce advised the State Auditor's office has reported "no audit issues" and will be returning our files in the near future. Steve will check into the Open Records Training sessions offered and will assure Monterey Township remains in compliance. The Board discussed the Pre-Annexation Agreement presented to the Board by John Schimmoeller. The Agreement is between the Village of Ottoville and property owned by Jacqueline Schimmoeller located on the south side of St.Rt. 224 and east of the and contingent to the Village. The Trustees discussed and reviewed the Agreement. Rodney made a motion by Resolution #04-2015 to enter into said Agreement. Virgil seconded, motion carried.





Dan reported all road and traffic signs were in order. The Trustee's acknowledge the retirement of the current Fiscal Officer effective March 31, 2015.

There being no further business Rodney made a motion to adjourn the meeting, Virgil seconded, motion carried.

President

iscal Officer

Ex. 0 (2 of 3)

# RECORD OF PROCEDDINGS MONTEREY TOWNSHIP TRUSTEES REGULAR SESSION

Resolution #04-2015

The Board of Trustees of Monterey Township met in regular session on March 16, 2015 at 7:30 p.m. with the following members present:

Mr. Virgil Miller, President; Rodney Beining and Steve Hilvers

Rodney made the following RESOLUTION:

WHEREAS, The Board of Monterey Township, Putnam County, Ohio has received a request for approval of a Pre-Annexation Agreement for property currently located East of the Village, on the south side of St. Rt. 224 and contingent to the Village of Ottoville.

WHEREAS, the Board of Trustees of Monterey Township, Putnam County, Ohio reviewed a Pre-Annexation Agreement presented to the Board by John Schimmoeller for property located South of St. Rt. 224, and East of the Village and contingent to the Village of Ottoville.

RESOLVED, by the Board of Trustees, Monterey Township shall enter into said agreement effective March 16, 2015.

Virgil seconded this resolution, with the roll being called upon its adoption as follows:

Adopted: 3-1,6-2015

## BOARD OF COUNTY COMMISSIONERS OF PUTNAM COUNTY, OHIO

IN RE:

\* PETITIONER'S LIST OF PARCELS IN AND ADJACENT TO THE

ANNEXATION TO THE VILLAGE OF \* TERRITORY PROPOSED FOR ANNEXATION PURSUANT TO ORC

THE NORTHWEST QUARTER OF \* SECTION 25, TOWN 1 SOUTH, \* RANGE 4 EAST, MONTEREY

TOWNSHIP, PUTNAM COUNTY, \* OHIO (8.897 ACRES)

\* PETITIONER'S LIST OF PARCELS IN AND ADJACENT TO THE

AND ADJACENT TO THE

SERRITORY PROPOSED FOR ANNEXATION PURSUANT TO ORC

SECTION 709.022(D)

\*\*

Now comes the Agent for Petitioner, pursuant to ORC 709.02(D), to supply the list of parcels in the territory proposed for annexation and to supply the list of parcels located adjacent to that territory.

## I. Parcel in the Territory Proposed for Annexation

Owner Name(s)	Mailing Address	Permanent Parcel Number
Jacqueline J. Schimmoeller	P.O. Box 403 Kalida, OH 45853	25-017080.0200

#### II. Parcels Located Adjacent to Annexed Territory

Owner Name(s)	Mailing Address	Permanent Parcel Number
Jacqueline J. Schimmoeller	P.O. Box 403 Kalida, OH 45853	25-017080.0000
Dennis Bendele	25309 U.S. 224 Ft. Jennings, OH 45844	25-017080.0100
Debra A. & Larry D. Altenburger	P.O. Box 376 Ottoville, OH 45876	25-017010.0000

Debra A. & Larry D. Altenburger	P.O. Box 376 Ottoville, OH 45876	25-017020.0000
Eugene J. & Laura A. Knippen	17240 Rd. 25-Q Ft. Jennings, OH 45844	25-017100.0000
Vorst Consulting Services Inc.	14373 Rd. 23-M Cloverdale, OH 45827	27-093000.0000
Board of Education Ottoville Local School District	P.O. Box 248 Ottoville, OH 45876	27-056041.0000
Board of Education Ottoville Local School District	P.O. Box 248 Ottoville, OH 45876	27-056042.0000

July 7, 2015

Michael A. Burton, Reg. No. 0064921

Jauert & Burton LLP 103 S. Blackhoof Street

MyButa

P.O. Box 1957

Wapakoneta, OH 45895 (419) 738-9274 Telephone (419) 738-3403 Facsimile Agent for Petitioner

S:\Schimmoeller Construction, Inc\Ottoville 8.897 Acre Annexation Plat\2015-06-10 List of Parcels.docx