

ORDINANCE NO. 2018- 40

AN ORDINANCE ACCEPTING ANNEXATION OF 5.13± ACRES OF LAND, MORE OR LESS, IN SWANTON TOWNSHIP TO THE VILLAGE OF SWANTON, FULTON COUNTY, OHIO, ON PETITION BY JOHN PRYZBYLEK

BE IT ORDAINED, by the Council of the Village of Swanton, Lucas and Fulton Counties, Ohio, all members elected thereto concurring and as follows:

Section One. That on September 11, 2018, the Lucas County Commissioners approved the annexation of certain property to the Village of Swanton. See Exhibit 1, attached hereto.

Section Two. The above mentioned tract of land (consisting of 5.13± acres, more or less) is hereby accepted for annexation into the Village of Swanton and is hereby subject to the zoning regulations for the Village of Swanton and the property is hereby classified for zoning purposes as residential (R1).

Section Three. An accurate map and plat of the said territory, together with the petition for annexation, and other relevant papers, and certified transcripts of the proceedings of the Lucas County Commissioners, are on file with the Village of Swanton, and the same are also hereby accepted.

Section Four. It is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Village Council, and that all deliberations of this Village Council and of any of its committees that resulted in such 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 Five. This ordinance shall take effect and be in full force from and after the earliest date allowed by law.

First Reading: December 10, 2018

Second Reading: January 14, 2019

Third Reading: January 28, 2019

Vote on Passage

Moved: Pilliod Second: Rochelle YEAS: 5 NAYS: 0

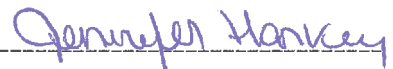
Date of Passage: January 28, 2019



Ann Roth, Mayor

Attest:

I, Jennifer Harkey, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2018-40, passed on January 28, 2019



Jennifer Harkey, Fiscal Officer

Date: September 11, 2018

Resolution No. 18-766

Title: Annexation Petition No. 2018-4, Portion of Swanton Township to the Village of Swanton, Lucas County, Ohio (Parcel No. 72-07112)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on July 16, 2018, a petition for an **Expedited Type II Annexation** by a majority of the owners of approximately 5.13 acres of land, more or less, of real estate in Swanton Township to the Village of Swanton by Alan Lehenbauer, Village Solicitor, agent for the petitioner. The petitioner requests that the territory be annexed pursuant to the annexation procedures contained in ORC 709.02 (c) and (e) and ORC 709.021, 709.022, and 709.023. This annexation petition is formerly Annexation Petition 2018-2. Annexation Petition 2018-2 was denied by the Board of Lucas County Commissioners on July 10, 2018, for failure to comply with O.R.C. 709.023(C) requiring the filing of municipal statement of services within 20 days after filing of petition.

On August 22, 2018, the County Engineer submitted a report indicating the legal description and map are accurate and do concur with county records.

On August 3, 2018, the agent for the petitioners filed with this Board an Affidavit of Compliance as to statutory matters including Village of Swanton Resolution 2018-14 adopting a statement of services to be provided to areas proposed to be annexed.

Budget Impact: N/A

Statutory Authority/ORC: 709.02 (c) and (e) and ORC 709.021, 709.022, and 709.023

Commissioner Gerken offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This petition meets each requirement specified in O.R.C. 709.023.

Section 2. Petition 2018-4 to Annex Parcel No. 72-07112 of approximately 5.13± acres of real estate including the road right-of-way area in Swanton Township to the Village of Swanton, is hereby granted.

Section 3. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

September 11, 2018

Annexation Petition No. 2018-4, Portion of Swanton Township to the Village of Swanton,
Lucas County, Ohio (Parcel No. 72-07112)

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Section 4. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Gerken voted yes
Commissioner Skeldon Wozniak voted yes
Commissioner Contrada voted yes



Jody L. Balogh, Clerk

I hereby certify ~~that the~~ foregoing is
a true and exact copy of Resolution
No. 18-766 duly passed by the
Board of County Commissioners,
Lucas County, Ohio, at its meeting
on September 11, 2018
Clerk of County Commissioners



EXHIBIT "A"
Legal Description

Proposed Annexation Boundary ~
From Swanton Township to the Village of Swanton

Being part of Section Seven (7), Town Seven (7) North, Range Nine (9) East currently in Swanton Township, Lucas County, Ohio, and being bounded and described as follows:

BEGINNING at a monument on the west line of said Section 7, and being the east corner of Sections 1 and 12, Town 7 North, Range 8 East, and being at the intersection of the centerline of the old location of Chestnut Street with the centerline of the old location of Fulton-Lucas Road, and being 59.91 feet left of 27+67.71 on the Hallett Ave. / Norfolk Southern RR grade separation plan, prepared by GPD Associates, signed in 2009;

THENCE North 00°34'11" East, along the west line of Section 7, a distance of 142.51 feet to the intersection with the north line of Section 7, being 61.80 feet left of station 29+10.21, and being marked with a monument 2.86 feet east of this location, and also being the centerline of the old location of Brindley Road;

THENCE, South 89°41'26" East, along the north line of Section 7 and also being the centerline of the old location of Brindley Road, a distance of 442.82 feet to the intersection with the east line, extended to the north, of Auditors parcel #72-07112 as describe in deed 20170821-0036482, (ODOT parcel 56-E);

THENCE, South 01°19'45" West, along said east property line extended north, a distance of 223.43 feet to the intersection with the southerly line of relocated Brindley Road, and also being the petitioners existing northeast property corner;

THENCE, continuing South 01°19'45" West, along the existing east property line, a distance of 155.27 feet to an existing property corner;

THENCE North 89°41'41" West, along an existing property line, a distance of 65.05 feet to an existing property corner;

THENCE, South 01°19'46" West, along an existing property line, a distance of 150.00 feet to the south line of the property described in deed 20170821-0036463 (ODOT parcel 55-E) and being the existing south line of Auditors parcel #72-07112;

THENCE, North 89°41'06" West, along the south line of said ODOT parcel 55-E, a distance of 273.29 feet to the intersection of the existing easterly line of relocated Hallett Avenue, and being the petitioners existing southwest property corner;

THENCE, continuing North 89°41'06" West, along the last line extended west a distance of 102.40 feet to the intersection with the west line of Section 7, and being the old centerline of Hallett Avenue and being 57.33 feet left of station 23+78.65 on the ODOT R/W Plan;

THENCE North 01°18'00" East, along the west line of Section 7, a distance of 386.13 feet back to the POINT OF BEGINNING;

Having an area of 5.129 Acres, including road right-of-ways.

Including all of Auditors Parcel Number 72-07112, and the road right-of-ways to the north and west of this parcel, out to the north line of Section 7 and to the west line of Section 7.

Prior Deed References; 20170821-0036482 and 20170821-0036483.

The basis of bearings is Grid North, State Plane Coordinate system, Ohio, north zone (3401), NAD83(2011).

This description was prepared based on existing deeds as noted and the O.D.O.T. R/W plans, PID #23114, and recorded in the Lucas County Recorder's Office in instrument #20090414-0016753.

Annexation 2018-4
 Exhibit "B"
 DJP, 8-13-18

EXISTING MON.
 IS 2.86' E.
 OF THE N.W.
 COR. OF SEC 7

P.O.B.
 E. COR. OF SEC. 1-12
 T7N, R8E

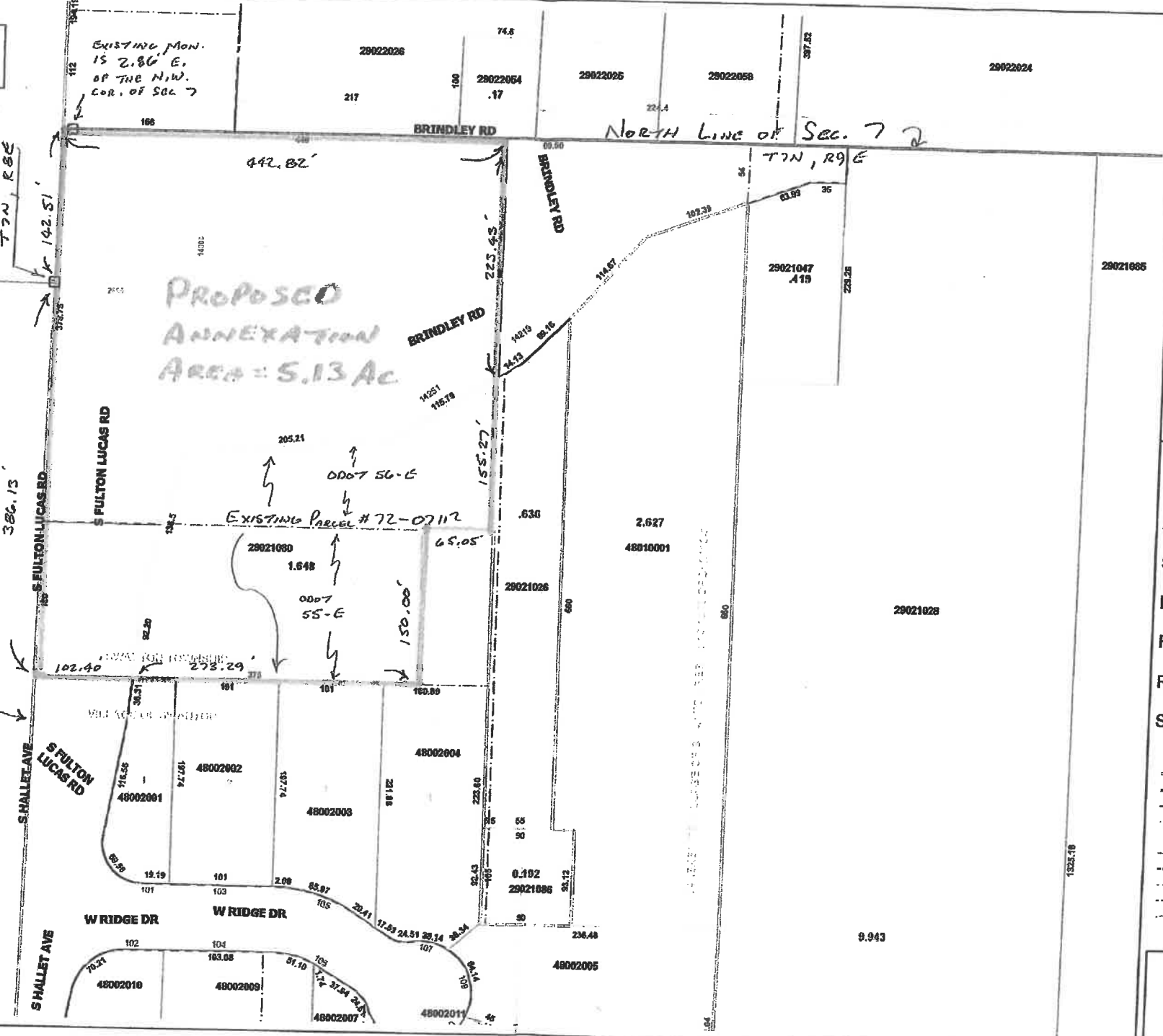
Sec 1
 Sec 12
 T7N, R8E

**PROPOSED
 ANNEXATION
 AREA = 5.13 AC**

EXISTING PARCEL # 72-0712

WEST LINE OF SEC. 7

NORTH LINE OF SEC. 7



AREIS
 Auditor's Real Estate
 Information System

Anita Lopez
 Auditor

This Appraisal Property
 Map is for tax purposes
 only. It is NOT intended
 for conveyances,
 nor is it a Legal Survey.

MAP SCALE & DATE

Scale: 1 = 100
 Tax Map Dept. 419-213-4448

MAPPING LEGEND

- Assessor# 99999999
- Address# 123 Acres 9.9
- Subdivision Lot #
- Historic Lot # 23
- ROW Dimensions 30
- Railroad Names WABASH
- Subdivisions LOTUS PARK

- Parcels
- Streets
- POLITICAL LINE
- SECTION LINE
- DEDICATED ROW LINE
- PARCEL LINE
- ROW LINE
- BUFFER LOT
- PRIVATE ROAD
- EASEMENT LINE
- VACATED ROW
- HISTORICAL
- Sections
- mapindex



Lucas County, OH Tax Duplicate 2016