

ORDINANCE 2019-16

AN ORDINANCE ACCEPTING ANNEXATION OF 2.00 ACRES OF LAND, MORE OR LESS, IN SWANTON TOWNSHIP, LUCAS COUNTY, OHIO, TO THE VILLAGE OF SWANTON, OHIO, ON PETITION BY ELIZABETH J. LAMBERT

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 January 15, 2019, 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 2.0 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.

Vote on Passage

Moved: Kreuz

Second: Rochelle

YEAS: 6

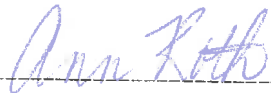
NAYS: 0

First Reading: March 25, 2019

Second Reading: April 8, 2019

Third Reading: April 22, 2019

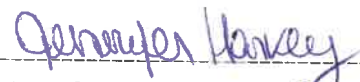
Date of Passage: April 22, 2019



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 2019-16, passed on April 22, 2019.



Jennifer Harkey, Fiscal Officer

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LUCAS COUNTY
COMMISSIONERS

PETITION FOR ANNEXATION

TO THE BOARD OF COUNTY COMISSIONERS, LUCAS COUNTY, OHIO:

Under an Expedited Type II Annexation, the annexation proceedings are conducted under Ohio Rev. Code § 709.02 (C) and (E), Ohio Rev. Code § 709.021, and Ohio Rev. Code § 709.023, to the exclusion of any other provisions in Chapter 709 of the Ohio revised Code.

I, the undersigned, being the sole owner of real estate in the territory hereinafter described, hereby petitions for annexation of the following described territory to the Village of Swanton, Ohio.

I, the petitioner, specifically requests that the board follow Ohio Rev. Code § 709.023.

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 A".

The described territory is contiguous with the Village of Swanton, Ohio.

Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory showing the boundaries of the territory sought to be annexed, marked as "Exhibit B". Additionally, a list of all adjacent property owners is filed herewith.

There is one (1) owner of real estate in the described territory which is sought to be annexed to the Village of Swanton, Ohio.

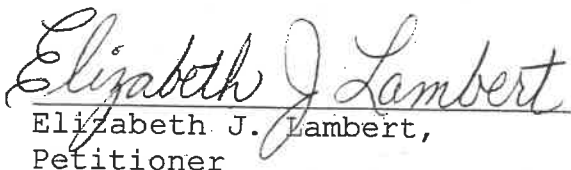
Alan J. Lehenbauer, Village Solicitor of the Village of Swanton, P.O. Box 237, Swanton, Ohio 43558, is hereby appointed agent for the undersigned Petitioner as required by Ohio Rev.

Code § 709.02, 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, refilling, 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 Petitioners.



Alan J. Lehenbauer,
Village Solicitor
Agent for Petitioner,
Elizabeth J. Lambert
P.O Box 237
Swanton, Ohio 43558
Phone: 419-826-0055
Fax: 419-825-3871
E-mail: mcquadelaw@embarqmail.com

"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."


Elizabeth J. Lambert,
Petitioner

Date: 11/17/2018

EXHIBIT A

That part of the west one-half (1/2) of the northwest quarter (1/4) of Section 8, Town 7 North, Range 9 East, in Swanton Township, Lucas County, Ohio, bounded and described as follows, to-wit:

Commencing on the West line of the northwest quarter (1/4) of said Section 8 at a point 125 rods, 7 1/2 links south of the northwest corner of said Section 8 (said point being the southwest corner of a parcel of land conveyed to S.C. Hallett by deed recorded in Volume 433 of Deeds, page 357) and running thence on a northeasterly direction parallel with the Toledo-Wauseon Road (formerly Toledo and Delta Road) 26 rods, 8 1/2 links to the Creek bank; thence in a northeasterly direction along said Creek bank to the southeast corner of a parcel conveyed to Swanton Township Trustees by deed recorded in Volume 606 of Deeds, page 83; thence westerly along the southerly line of said parcel in Volume 606 of Deeds, page 83, to the southeast corner of a parcel conveyed to The Swanton Cemetery Association, by deed recorded in Volume 43 of Deeds, page 607; thence west along the south line of said parcel in deed recorded in Volume 43 of Deeds, page 607, to the west line of the northwest quarter (1/4) of said section 8, and thence south along the west line of said Section 8, to the Place of beginning.

Excepting from above described premises a strip of land 10 feet wide conveyed to The Trustee of Swanton Cemetery Association by deed recorded in Volume 224 of Deeds, page 147;

ALSO excepting from above described premises that part thereof conveyed to Swanton Township Trustees by deed recorded in Volume 741 of Deeds, page 78, excepting therefrom the following parcels:

Exception 1: That part of the northwest quarter (1/4) of Section 8, Town 7 North, Range 9 East, in Swanton Township, Lucas County, Ohio described as follows: Beginning at a point in the west line of Section 8, which is 1566.04 feet south of the northwest corner of Section 8; thence easterly at right angles to the west line of Section 8, a distance of 577.0 feet; thence southerly on a line angling from west to south 90° 39' from the last described line a distance of 75.50 feet; thence westerly on a line at right angles to the west line of Section 8, a distance of 577.85 feet to the west line of Section 8; thence northerly along the west line of Section 8, a distance of 75.50 feet to the point of beginning, containing 1.00 acre of land, more or less, and subject to legal highways, and,

Exception 2: That part of the northwest quarter (1/4) of

Section 8, Town 7 North, Range 9 East, in Swanton Township, Lucas County, Ohio described as follows: Beginning at a point in the West line of Section 8, which is 1815.54 feet south of the northwest corner of Section 8; thence easterly at right angles to the west line of Section 8, a distance of 445.90 feet to the Creek Bank; thence in a Northeasterly direction along the creek bank to a line which is parallel to, and, 174.00 feet north of the first described line; thence westerly along said parallel line a distance of 577.85 feet to the west line of Section 8; thence southerly along the west line of section 8, a distance of 174.00 feet to the point of beginning.
Containing 2.00 acres of land, more or less, and subject to legal highways.

Lucas Co. Parcel No. 72-08804

3115 Scott Rd / Parcel No. 7208804



EXHIBIT B

**LIST OF ABUTTING PROPERTY OWNERS
PURSUANT TO O.R.C. SECTION 709.02(D)**

For Annexation Petition of ELIZABETH J. LAMBERT,
Lucas County Parcel No. 7208804

- A. ROGER E. & RUTH A. SCHLADE
3141 Scott Rd.
Swanton, Ohio 43558
Lucas Co. Parcel No. 7208824

- B. VWC INVESTMENTS, LLC,
an Ohio limited liability company
13501 Airport Highway
Swanton, Ohio 43558
Lucas Co. Parcel No. 7500011

- C. SWANTON TOWNSHIP BOARD OF TRUSTEES
13410 Airport Highway
Swanton, Ohio 43558

FOR ABUTTING PROPERTY ADDRESS:
3073 Scott Rd.
Swanton, Ohio 43558
Lucas Co. Parcel No. 7208814