

**ORDINANCE NO. 2019-17**

**AN ORDINANCE APPROVING THE ANNEXATION OF 74.31+/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.**

**WHEREAS**, JC Ramey and Kelli Wilt-Ramey as Members and Shareholders of Ronin Holdings LLC. (the "Petitioner") filed a petition for the annexation of 74.31+/- acres (the "Petition") to the Village of Commercial Point with Pickaway County Board of County Commissioners (the "County Commissioners") on May 2, 2019.

**WHEREAS**, the Village of Commercial Point on May 20, 2019 passed Resolution No. 27-2019(amended June 17, 2019) setting forth the services to be provided to the 74.31 ± acres;

**WHEREAS**, on June 11, 2019, a hearing was held by the County Commissioners at which time evidence was presented by the Petitioner in favor of the proposed annexation and the legal description of the territory to be annexed;

**WHEREAS**, the County Commissioners have approved the Petition for Annexation;

**WHEREAS**, pursuant to the requirements of Ohio Revised Code Section 709.033, the County Commissioners caused to be filed with the Clerk of the Village of Commercial Point a certified transcript of the orders of the County Commissioners showing approval of same and all other papers, including an accurate map of the territory to be annexed;

**WHEREAS**, sixty (60) days from the date of receipt of the County Resolution granting the petition for annexation, has now lapsed in accordance with Section 709.04 of the Ohio Revised Code;

**WHEREAS**, the Council of the Village of Commercial Point has determined it to be in the best interest of the Village of Commercial Point, contingent of the final approval of the Petition for Annexation, that the zoning classification of the proposed Annexed Territory in the Village of Commercial Point be established;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO THAT:**

**SECTION I:** The petition for annexation of 74.31 +/- acres to the Village of Commercial Point is hereby accepted.

**SECTION II:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that result

**DIED TO LACK OF MOTION**

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.

Vote on Suspension of Readings:

Motion by: \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call:

____ Laura Wolfe	____ Aaron Grassel	____ Ben Townsend
____ Bruce Moore	____ Scott O'Neil	____ Jason Thompson

Vote on Passage of the Ordinance:

Motion by: \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call:

____ Laura Wolfe	____ Aaron Grassel	____ Ben Townsend
____ Bruce Moore	____ Scott O'Neil	____ Jason Thompson

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Gary Joiner, Mayor

\_\_\_\_\_  
Wendy Hastings, Fiscal Officer

Approved as to Form:

\_\_\_\_\_  
Frost Brown Todd, LLC

**PETITION FOR ANNEXATION  
OF 74.31 ACRES  
FROM SCIOTO TOWNSHIP IN PICKAWAY COUNTY  
TO THE VILLAGE OF COMMERCIAL POINT, OHIO  
UTILIZING THE SPECIAL PROCEDURE OF R.C. SECTION 709.023 ET SEQ.**

**TO: THE BOARD OF COUNTY COMMISSIONERS OF  
PICKAWAY COUNTY, OHIO**

Now comes the undersigned petitioner, being one hundred percent (100%) of the owners of certain property as hereinafter described and requests that their property be annexed to the Village of Commercial Point, Ohio. The territory proposed for annexation contains 74.31 acres in Scioto Township, Pickaway County and is contiguous to the boundary of the Village of Commercial Point, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understands the territory will not be excluded from the township.

An accurate description of the perimeter of the territory sought to be annexed and a map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A" and Exhibit "B".

The annexation will not create an unincorporated area of township that is completely surrounded by the territory proposed for annexation.

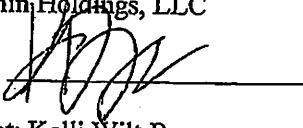
There is no annexation agreement between the municipality and the township pursuant to R.C. §709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. §701.07.

The number of owners in the territory sought to be annexed is one (1) and the number of owners who signed the petition is one (1).

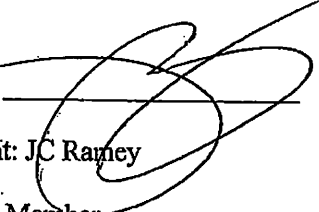
The owner who signs this petition by their signature expressly waives their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under R.C. §709.023 and waive any rights they may have to sue on any issue relating to a municipal corporation requiring 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 that buffer requirement.

Donald T. Plank, Plank Law Firm, LPA, 411 East Town St., 2<sup>nd</sup> Floor, Columbus, Ohio 43215, (614) 947-8600, is hereby appointed agent for the undersigned petitioner, as required by R.C. §709.02. Amendments to correct any discrepancy or mistake noted by the county engineer or others in their examination of the map, plat or description may be made by the presentation of an amended map or plat and description to the Pickaway County Board of County Commissioners on, before or after the date set for 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."**

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
Ronin Holdings, LLC By: 	10649 SR 104 Lockbourne, Ohio 43137	4/19/2019
Print: Kelli Wilt-Ramey		

Its: Member

By: 	10649 SR 104 Lockbourne, Ohio 43137	4/19/2019
Print: JC Ramey		
Its: Member		

## ANNEXATION OF 74.31 ACRES

Situated in the State of Ohio, County of Pickaway, Township of Scioto, Virginia Military Surveys number 1189 and 557, and being all of that land conveyed to Ronin Holdings, LLC, by the instrument filed as Official Record volume 656, page 2470 (all deed references are to the records of the Pickaway County Recorder's office) and being more particularly described as follows:

BEGINNING at a point on the existing Village of Commercial Point corporation limit line, also being the centerline of State Route 104 (formerly Jackson Pike), and at the southeasterly corner of Pickaway County Auditor's parcel number L27-0-001-00-530-00, the said point being the TRUE POINT OF BEGINNING of this description.

Thence along the said existing corporation limit line and along the southerly line of the said parcel L27-0-001-00-530-00, South 87°15' West for a distance of 81.32 chains (5367.1 feet) to a point at the southwesterly corner of Pickaway County Auditor's parcel number L27-0-001-00-529-00;

Thence leaving the said existing corporation limit line and along the westerly line of the said parcel L27-0-001-00-529-00, North 05°37' West for a distance of 9.10 chains (600.6 feet) to a point at the northwesterly corner of the said parcel L27-0-001-00-529-00;

Thence along the northerly line of the said parcel L27-0-001-00-529-00, North 87°15' East for a distance of 82.19 chains (5424.5 feet) to a point on the existing Village of Commercial Point corporation limit line, on the centerline of State Route 104 (formerly Jackson Pike), and at the northeasterly corner of the said parcel number L27-0-001-00-530-00;

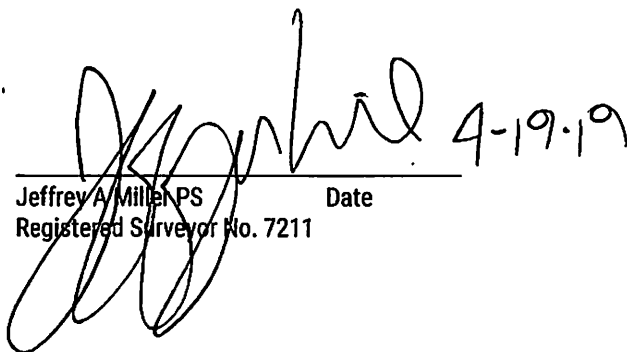
Thence along the existing Village of Commercial Point corporation limit line, along the centerline of State Route 104 (formerly Jackson Pike), and along the easterly line of the said parcel number L27-0-001-00-530-00, South 00°09' East for a distance of 9.10 chains (600.6 feet) to the TRUE POINT OF BEGINNING, containing 74.31 acres, more or less, and includes all of the following tax parcels:

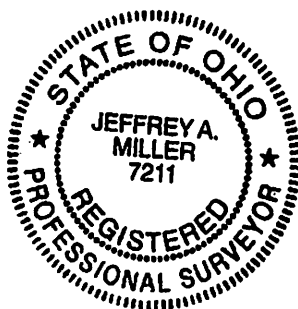
L27-0-001-00-529-00  
L27-0-001-00-530-00

This description is based on deeds, plats, and other matters of public record at the Pickaway County Recorder's Office, with no new surveying work being performed in the field and is not intended for the transfer of real property.

Total perimeter of annexation area is 11993 feet, of which 5968 feet are contiguous with the Village of Commercial Point, giving 50% contiguity.

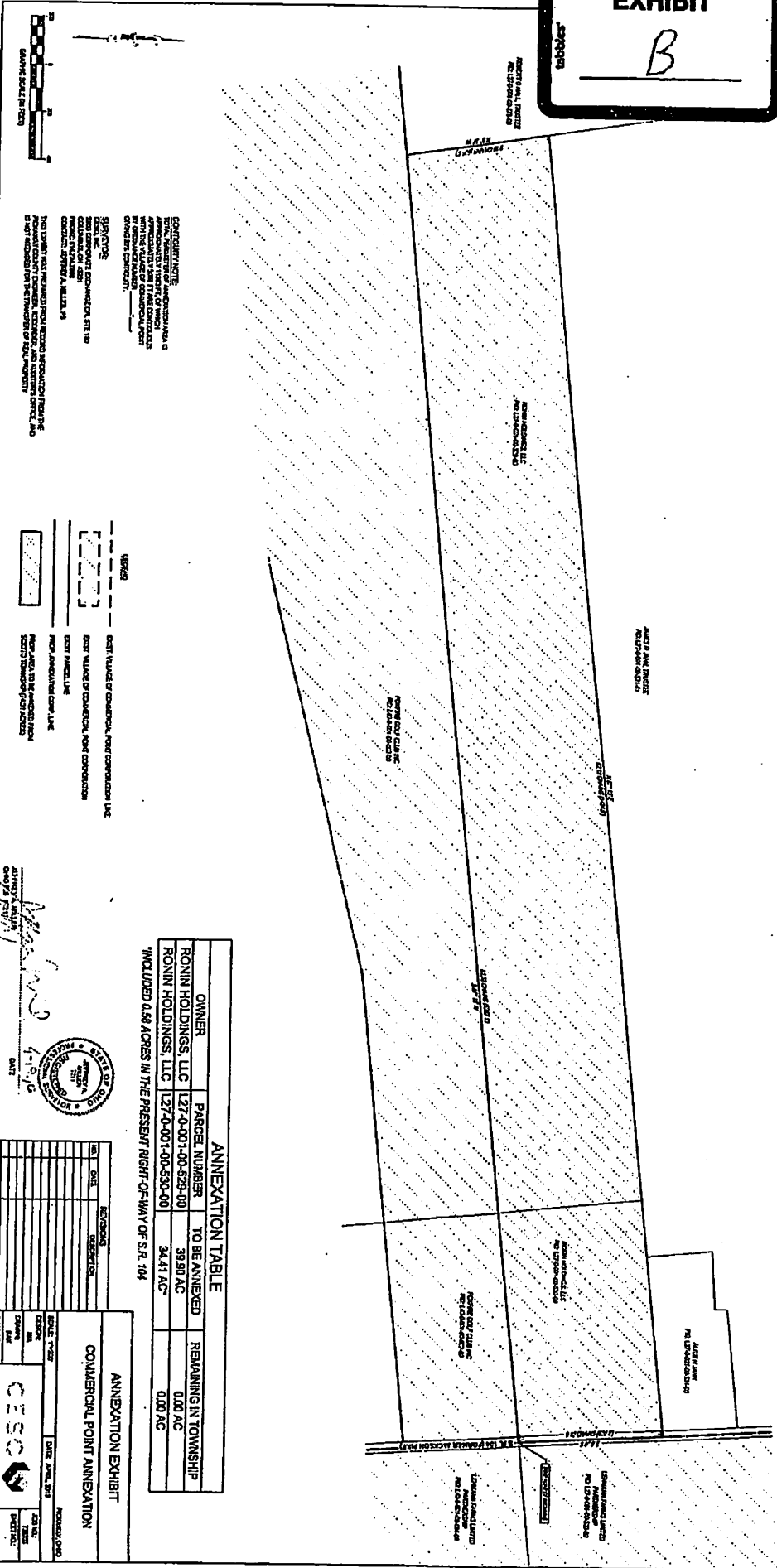
CESO, Inc.

 4-19-19  
\_\_\_\_\_  
Jeffrey A. Miller PS                      Date  
Registered Surveyor No. 7211

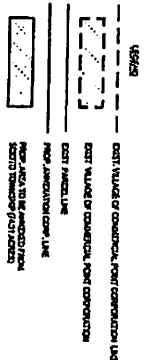


# EXHIBIT B

**ANNEXATION OF 74.31 ACRES**  
**FROM: SCIOTO TOWNSHIP**  
**TO: VILLAGE OF COMMERCIAL POINT**  
 SITUATED IN THE STATE OF OHIO, COUNTY OF PICKAWAY, TOWNSHIP OF SCIOTO,  
 VAS 1189 AND 557



THE TOWNSHIP OF SCIOTO HAS REVIEWED THIS ANNEXATION AND HAS DETERMINED THAT THE ANNEXATION IS IN ACCORDANCE WITH THE VILLAGE OF COMMERCIAL POINT CHARTER AND ORDINANCES. THE TOWNSHIP OF SCIOTO HAS NO OBJECTION TO THE ANNEXATION.



OWNER	PARCEL NUMBER	TO BE ANNEXED	REMAINING IN TOWNSHIP
RONIN HOLDINGS, LLC	127-4-001-00-529-00	39.50 AC	0.00 AC
RONIN HOLDINGS, LLC	127-4-001-00-530-00	34.41 AC*	0.00 AC

\*INCLUDED 0.38 ACRES IN THE PRESENT RIGHT-OF-WAY OF S.R. 104

GUY S. SMITH  
 TOWNSHIP CLERK  
 DATE: 4-1-2016

**ANNEXATION EXHIBIT**  
**COMMERCIAL POINT ANNEXATION**

SCALE: 1"=200'  
 DATE: 4-1-2016  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

CESCO  
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