

ORDINANCE NO. 2019-18

AN ORDINANCE APPROVING THE ANNEXATION OF 10.165+/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.

WHEREAS, Luke and Elizabeth Stevenson(the “Petitioner”) filed a petition for the annexation of 10.165+/- acres (the “Petition”) to the Village of Commercial Point with Pickaway County Board of County Commissioners (the “County Commissioners”) on May 28, 2019.

WHEREAS, the Village of Commercial Point on June 17, 2019 failed to passed Resolution No. 30-2019 setting forth the services to be provided to the 10.165 ± acres;

WHEREAS, on July 9, 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 10.165 +/- 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 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: _____ 2nd _____

Roll Call:

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

Vote on Passage of the Ordinance:

Motion by: _____ 2nd _____

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

05-28-19 P02:49 1#1

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023) TO
THE VILLAGE OF COMMERCIAL POINT OF
10.165 ACRES, MORE OR LESS,
FROM SCIOTO TOWNSHIP**

TO THE BOARD OF COUNTY COMMISSIONERS
OF PICKAWAY COUNTY, OHIO

The undersigned, petitioners in the premises, and being THE SOLE OWNER OF REAL ESTATE in the territory described, consisting of 10.165 acres, more or less, with a total length of the annexation perimeter of 3227.86 feet, more or less, in the Township of Scioto, which are is contiguous along 1294.33 feet to the Village of Commercial Point, do hereby pray that said territory be annexed to the Village of Commercial Point, according to the statutes of the State of Ohio and that no island of unincorporated area will be created by the annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioners state that there are within the territory so prayed to be annexed ONE (1) PARCEL/OWNER OF REAL ESTATE.

Craig Stevenson, who address is 2869 North Court St., Circleville, Ohio 43113 is hereby appointed agent for the undersigned Petitioners, as required by section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his/her absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Pickaway County Engineer in his examination of an amended plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

"WHOEVER SIGNES 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."

Name

Address

Date

Luke and Elizabeth
Stevenson

9505 St. Rt. 104
Lockbourne, OH 43137

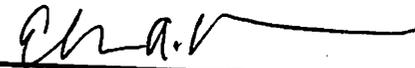
May 23, 2019

X



Luke Stevenson

X



Elizabeth Stevenson

Exhibit A

For Annexation Purpose Only

SURVEY PLAT and LEGAL DESCRIPTION

MATHEMATICALLY APPROVED

PICKAWAY COUNTY ENGINEER

BY DEB DATE 3-13-19

Legal Description

Scioto Township, Pickaway County, Ohio

Virginia Military Survey No. 557 & 1189

Annexation of Lands to the Village of Commercial Point - 10.165 Acres

Situated in the Township of Scioto, County of Pickaway, and State of Ohio and in Virginia Military Survey number 557 and 1189 being more particularly bounded and described as follows:

Being all of a 10.165 acre tract described in Official Record 723, Page 1610, in the Pickaway County Recorder's Office;

Beginning for reference at a point at the south east corner of Southern Point Subdivision Section 1, Phase 1 in Plat Book 1 Page 196, also being in the north line of VMS 557;

Thence with the south line of said subdivision and the north line of VMS 557 S82°53'59"W 127.06 feet to a point at the north west corner of said 10.165 acre tract, being the TRUE POINT OF BEGINNING;

Thence with the east line of said 10.165 acre tract S08°40'14"E 714.39 feet to a point;

Thence continuing with the east line of said 10.165 acre tract, and with the north line of a 5.341 acre tract described in Official Record 723 page 1610 S77°26'47"W 55.63 feet to a point at the north west corner of said 5.341 acre tract;

Thence continuing with the east line of said 10.165 acre tract and with the west line of a 5.341 acre tract S08°41'31"E 399.90 to a point at the south west corner of said 5.341 acre tract and the south east corner of said 10.165 acre tract, also being in the north line of Willow Brook Acres Part No. 2 in Plat Book 4, Page 71;

Thence with the south line of said 10.165 acre tract, and the north line of Willow Brook Acres S65°50'08"W 235.88 feet to a point;

Thence continuing with the south line of said 10.165 acre tract and the north line of Willow Brook Acres S57°16'17"W 176.11 feet to a point at the south west corner of said 10.165 acre tract, also being the south east corner of a 34.026 acre tract described in Official Record 756, Page 1868;

Thence with the west line of said 10.165 acre tract N05°00'30"W 1294.33 to a point at the north west corner of said 10.165 acre tract, also being in the north line of VMS 1189 and in the south line of Southern Point Section 1, Phase 1;

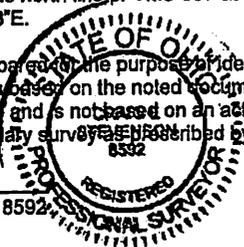
Thence with the north line of said 10.165 acre tract, the south line of said subdivision, partly with the north line of VMS 1189 and partly with the north line of VMS 557 N83°13'08"E 351.62 feet to the TRUE POINT OF BEGINNING;

Containing 10.165 Acres, more or less.

Bearings are based on the north line of VMS 557 as described in Official Record 723, Page 1610, being N 83°13'08"E.

This description was prepared for the purpose of identifying the location and position of the lands to be annexed. It is based on the noted documents of record found in the Pickaway County Recorder's Office and is not based on an actual field survey. This drawing does not represent a plat or boundary survey as defined by Ohio Administrative Code 4733-37.

Craig E. Stevenson P.S. 8592
Harral and Stevenson



3/5/19
Date

ANNEXATION OF LANDS TO THE VILLAGE OF COMMERCIAL POINT

SCIOTO TOWNSHIP, PICKAWAY COUNTY, OHIO
VIRGINIA MILITARY SURVEY NO. 557 & 1189



PARCEL NUMBER	TOTAL ACRES	PROPOSEDLY ANNEXED	TO BE ANNEXED	REMAINING (CALCULATED)
1310000004201	16,169 Acres	0,000 Acres	16,169 Acres	16,169 Acres
TOTAL TO BE ANNEXED			10,165 Acres	

SEARCHED REFERENCES
SEARCHED AND BASED ON THE SEARCH LINE OF THE SET AS DESCRIBED IN OFFICIAL RECORD 762, PAGE 1610, BOOK 14717-18.

REFERENCE DOCUMENTS
PLAT BOOK 1, PAGE 71
PLAT BOOK 1, PAGE 71
BOOK 1000, PAGE 1000
OFFICIAL RECORD 762, PAGE 1610

THIS COUNTY HAS PROVIDED FOR THE PURPOSE OF ESTABLISHING THE LOCATION AND POSITION OF THE LINES TO BE ANNEXED IF IN NEEDS ON THE BOUNDARIES OF RECORDS FOUND IN THE PICKAWAY COUNTY RECORDS OFFICE AND IS NOT BASED ON AN ACTUAL FIELD SURVEY. THE DRAWING COULD BEYOND BEING A PLAN OR SKETCH. PLEASE REFER TO THE PROVISIONS OF OHIO ADMINISTRATIVE CODE 2103-37.

10007 E. FRODOCK, PM 1000

HS Harral and Stevenson
Civil Engineering and Surveying
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Cincinnati, OH 45215
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SCIOTO TOWNSHIP, PICKAWAY COUNTY, OHIO
VIRGINIA MILITARY SURVEY NO. 557 & 1189
ANNEXATION PLAN
10.165 ACRES TO BE ANNEXED TO COMMERCIAL POINT

Project No: 50087	Scale: 1" = 100'
Client: Scioto Township	Reviewed by: ECL
Date: March 9, 2018	Revised: