

ORDINANCE NO. 2022-16

AN ORDINANCE APPROVING THE ANNEXATION OF 60.962 +/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.

WHEREAS, Ronin Holdings, LLC, Aaron Underhill, Esq., Underhill & Hodges LLC (the "Petitioner") filed a petition for the annexation of 60.962 +/- acres (the "Petition for Annexation") to the Village of Commercial Point with the Pickaway County Board of County Commissioners (the "County Commissioners") on or about February 7, 2022; and

WHEREAS, on February 8, 2022, the Council of the Village of Commercial Point passed Resolution No. 08-2022 setting forth the services to be provided to the 60.962 ± acres; and

WHEREAS, on March 22, 2022, 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; and

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

WHEREAS, pursuant to the requirements of Ohio Revised Code Section 709.033, on April 4, 2022, 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; and

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; and

WHEREAS, pursuant to Section 709.04 of the Ohio Revised Code, the Council of the Village of Commercial Point must approve the Petition for Annexation within one hundred twenty (120) days from April 4, 2022, or else the Petition is considered to be rejected; and

WHEREAS, the Council of the Village of Commercial Point has determined it to be in the best interest of the Village of Commercial Point that the Petition for Annexation be accepted and 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, PICKAWAY COUNTY, OHIO THAT:

SECTION 1. Approval of Petition for Annexation. The Petition for Annexation of 60.962 +/- acres to the Village of Commercial Point, as more fully depicted in the attached Exhibit A (which is incorporated herein by reference), is hereby accepted.

SECTION 2. Amendment of Zoning Map. The Zoning Map of the Village of Commercial Point shall be amended in accordance with Chapter 1179 the Zoning Code of the Village of Commercial Point.

SECTION 3. Open Meetings Certification. 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 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 4. Effective Date. This Ordinance shall take effect at the earliest date allowed by law.

Vote on Passage of the Ordinance:

Motion by: Ross Crego

2nd: Tracy Joiner

Roll Call:

No Nancy Geiger

Yes Tracy Joiner

No Laura Wolfe

Yes Ross Crego

Yes Ryan Mitchem

Adopted this 1st day of August, 2022.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor

ORDINANCE NO. 2022-16
Exhibit A

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer



PICKAWAY
COUNTY

Pickaway County
Board of County Commissioners
139 West Franklin Street
Circleville, Ohio 43113
Telephone: 740-474-8093 FAX: 740-474-8988
1-800-474-8093
www.pickaway.org

Administrator:
April Dengler
Clerk:
Angela Karr

Date: March 31, 2022

To: - Aaron Underhill, David Hodge and Eric Zartman, , Underhill & Hodge LLC,
8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
-Village of Commercial Point, P.O. Box 56, Commercial Point, Ohio 43116
-Scioto Township Trustees, P.O. Box 40, Commercial Point, Ohio 43116
-Tim McGinnis, Pickaway County Development & Planning Director
-Chris Mullins, Pickaway County Engineer

From: Pickaway County Commissioners

Re: **Annexation Petition – Romin Holdings, LLC, for Annexation of 60.962 +/- ac. of
Scioto Township into Village of Commercial Point**

Enclosed please find Resolution No. PC-032222-27 approving the annexation petition filed on February 8, 2022, with the Pickaway County Board of Commissioners.

If you should have any questions, please contact Angela Karr, Clerk, at 740-477-3649 (Direct) or by email at akarr@pickawaycountyohio.gov.

Sincerely,

Angela Karr
Clerk

Enclosure (*excerpt, petition, maps, legal description, adjacent parcel owner list and proof of service*)

RECEIVED
MAY 10 2022

BY: *AKK*

ORDINANCE NO. 2022-16
Exhibit A (continued)

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer



PICKAWAY
COUNTY

Pickaway County
Board of County Commissioners
159 West Franklin Street
Circleville, Ohio 43115
Telephone: 740-474-6093 FAX: 740-474-8988
1-800-472-6093
www.pickaway.org

Administrator:
April Dengler
Clerk:
Angela Karr

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, March 22, 2022, with the following members present: Mr. Jay H. Wippel, Mr. Harold R. Henson, and Mr. Gary K. Scherer. April Dengler, County Administrator, was also in attendance.

During business conducted while in session, the commissioners held a meeting and reviewed the Expedited Type 2 Annexation petition filed in their office on February 7, 2022, for the annexation of 60.962 +/- acres of Scioto Township into the Village of Commercial Point. Aaron Underhill, David Hodge and Eric Zartman, Underhill & Hodge LLC, is the agent for the petitioners, James, C. Ramey, Trustee of Ronin Holdings LLC, 10649 state Route 104, Lockbourne, Ohio 43137;

With no annexation agreement or cooperative economic development agreement filed with the Expedited Type 2 Annexation petition, the territory to be annexed may not, at any time, be withdrawn or excluded from the township pursuant to ORC 503.07. The annexed land thus remains subject to the township's real property taxes.

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to adopt the following Resolution:

Resolution No: PC-032222-27

WHEREAS, an Expedited Type 2 Annexation petition that met all of the engineering and legal requirements was properly filed in the Pickaway County Board of Commissioners' office on or about February 7, 2022, for the annexation of 60.962 +/- acres of Scioto Township to be annexed into the Village of Commercial Point; and,

WHEREAS, the person who signed the petition, James C. Ramey, as Trustee and Sole Shareholder of Ronin Holdings LLC, 10649 state Route 104, Lockbourne, Ohio 43137, such company is the owner of the property to be annexed; and,

WHEREAS, the petition contains the signatures of all of the property owners in the territory to be annexed; and,

WHEREAS, the territory to be annexed does not exceed 500 acres; and,

WHEREAS, the territory to be annexed share a common boundary with the municipality for a continuous length of at least 5% of the perimeter of the territory to be annexed; and,

ORDINANCE NO. 2022-16
Exhibit A (continued)

WHEREAS, the annexation will not create an unincorporated area of the township that is completely surrounded by the territory to be annexed; and,

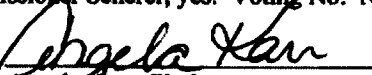
WHEREAS, the Village of Commercial Point Council adopted a Resolution No. 08-2022 on February 8, 2022 that was received by the Pickaway County Board of Commissioners' office on February 17, 2022, adopting the statement of municipal services it will provide to the territory to be annexed; and,

WHEREAS, no street or highway will be divided by the boundary between the municipality and township so as to create a road maintenance problem; then,

THEREFORE BE IT RESOLVED, that the Pickaway County Board of Commissioners hereby approves the Expedited Type 2 Annexation of 60.962 +/- acres of Scioto Township into the Village of Commercial Point, Pickaway County, Ohio, filed by Aaron Underhill, David Hodge and Eric Zartman, Underhill & Hodge LLC, is the agent for the petitioners, James, C. Ramey, Trustee of Ronin Holdings LLC.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest:


Angela Karr, Clerk

~Certification~

I, Angela Karr, Clerk to the Pickaway County Board of Commissioners, hereby certify that this is a true and accurate record of the proceedings of the board and may be found in Journal #67, pages dated March 22, 2022


Angela Karr

In the Matter of
Resolution Approving the Expedited Type 2 Annexation Petition for the
Annexation of 60.962 Acres +/- in Scioto Township into the Village of Commercial Point -
James C. Ramey, Trustee Ronin Holdings LLC, Petitioner:

ORDINANCE NO. 2022-16
Exhibit A (continued)

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer



PICKAWAY

Administrator:
April Dengler
Clerk:
Angela Karr

Pickaway County
Board of County Commissioners
139 West Franklin Street
Circleville, Ohio 43113
Telephone: 740-474-6083 FAX: 740-474-8988
1-800-474-6083
www.pickaway.org

Date: February 11, 2022

To: - Aaron Underhill, David Hodge and Eric Zartman, , Underhill & Hodge LLC,
8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
-Village of Commercial Point, P.O. Box 56, Commercial Point, Ohio 43116
-Scioto Township Trustees, P.O. Box 40, Commercial Point, Ohio 43116
-Tim McGinnis, Pickaway County Development & Planning Director
-Chris Mullins, Pickaway County Engineer

From: Pickaway County Commissioners

Re: Hearing scheduled for: **Annexation Petition – Roain Holdings, LLC, for
Annexation of 60.962 +/- ac. of Scioto Township into Village of Commercial Point**

Please let this serve as notice that the Hearing related to the above-noted annexation petition that was filed in the Pickaway County Commissioners' Office on February 8, 2022 is scheduled for:

**Tuesday, March 22, 2022
10:15 a.m.
Pickaway County Commissioners' Office
139 W. Franklin Street
Circleville, Ohio 43113**

If you should have any questions, please contact Angela Karr, Clerk, at 740-477-3649 (Direct) or by email at akarr@pickawaycountyohio.gov.

Sincerely,

A handwritten signature in cursive script that reads "Angela Karr".

Angela Karr
Clerk

Enclosure (*excerpt, petition, maps, legal description and adjacent parcel owner list*)

ORDINANCE NO. 2022-16
Exhibit A (continued)

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer



PICKAWAY

Administrator:
April Dengler
Clerk:
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Pickaway County
Board of County Commissioners
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The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, February 8, 2022, with the following members present: Mr. Jay H. Wippel and Mr. Harold R. Henson. April Dengler, County Administrator, was also in attendance. Mr. Gary K. Scherer was absent from today's session.

During business conducted while in session, as the first official act related to a Type II Annexation petition filed for the annexation 60.962 +/- acres of Harrison Township into the Village of South Bloomfield, the commissioners' clerk informed them that the petition was filed on Monday, February 7, 2022, and is hereby entered upon the Pickaway County Commissioners' Journal #67, pages dated February 8, 2022. Agents for the petitioners is Aaron Underhill, David Hodge and Eric Zartman, Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054. In the initial review of the annexation petition, all necessary documents appear to have been to be submitted with the annexation petition, with the exception of the ordinance or resolution from the Village of Commercial Point that it will provide the necessary services. Per ORC §709.023 (C), this must be received within 20 days after the filing of the petition. Per §709.023 (D), the Scioto Township Trustees are to file an ordinance or resolution consenting or objecting to the annexation within 25 days. If no ordinance or resolution is submitted within 25 days, it is presumed to be consent.

The Annexation has been placed as a 10:15 a.m. agenda item on the commissioners' March 22, 2022, regular meeting day schedule.

In the Matter of
Annexation Petition Filed for the Type II
Annexation of 60.962 +/- Acres of Scioto Township
Into the Village of Commercial Point for Roush Holdings LLC:

Board of County Commissioners
Pickaway County, Ohio

2022 FEB 7 2:15 PM

**EXPEDITED TYPE II PETITION FOR ANNEXATION
(PURSUANT TO R.C. SECTION 709.023)
TO THE VILLAGE OF COMMERCIAL POINT
OF ±60.962 ACRES
IN THE TOWNSHIP OF SCIOTO**

February 7, 2022

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

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of ±60.962 acres, more or less, located in the Township of Scioto, which area is contiguous along 4,409.72 feet or 43.9% and adjacent to the Village of Commercial Point, do hereby request that said territory be annexed to the Village of Commercial Point according to the statutes of the State of Ohio, and specifically the expedited procedure specified in Ohio Revised Code Section 709.023, and that no island of unincorporated area will be created by this annexation.

A full and accurate description and plat of the requested annexation territory are attached hereto and made part hereof.

In support of said Petition, your petitioner states that there are within the territory to be annexed ONE (1) OWNER OF REAL ESTATE.


Aaron Underhill, Esq., David Hodge, Esq., and Eric Zartman, Esq., whose address is 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054, are hereby appointed Agents for the undersigned Petitioner, as required by Revised Code Section 709.02(C), with full power and authority hereby granted to each said Agent individually 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. Agents' contact information is as follows: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054; Phone: (614) 335-9320, Fax: (614) 335-9329; and e-mail: aaron@uhlfirm.com and david@uhlfirm.com.

[Petition signature on following page]

ORDINANCE NO. 2022-16
Exhibit A (continued)

**WHOMEVER 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
SAID SPECIAL ANNEXATION PROCEDURE.**

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
Rosin Holdings LLC	<u>January 10th, 2022</u>	10649 S.R. 104 Lockbourne, OH 43137

By: 
Print Name: James C. Ramey
Title: President

ORDINANCE NO. 2022-16
Exhibit A (continued)

22 FEB 7 2:15 PM

68.962 ACRES

Situated in the State of Ohio, County of Pickaway, Township of Scioto, in Virginia Military Survey Number 1189, being part of that 74.31 acre tract of land conveyed to Roan Holdings, LLC, by deed of record in Official Record 656, Page 2470, also being all of Parcel Number L27-0-001-00-529-00 (a 39.90 acre tract by Auditor), (all references refer to the records of the Recorder's Office, Pickaway County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a magnetic nail set at the northeasterly corner of the subdivision entitled "Fertile Phase 1 Part 1", of record in Plat Cabinet 4, Slide 13, in the existing Village of Commercial Point corporation line, in the centerline of State Route 104;

Thence South 84° 14' 15" West, partly with said corporation line, partly with the westerly line of said "Fertile Phase 1 Part 1", and partly with the westerly line of that 138.760 acre tract conveyed to MFI Homes of Central Ohio, LLC by deed of record in Official Record 776, Page 682, a distance of 962.33 feet to an iron pin set at the TRUE POINT OF BEGINNING for this description;

Thence South 84° 14' 15" West, partly with said corporation line, partly with the westerly line of said 138.760 acre tract, and partly with the westerly line of that 113.972 acre tract conveyed to Foxfire Golf Club, Inc. by deed of record in Official Record 776, Page 685, a distance of 4409.72 feet to a 1.65" x 1.45" concrete post found at the southeasterly corner of that 83.26 acre tract conveyed to Robert G. Hall, Trustee by deed of record in Official Record 721, Page 2323;

Thence North 66° 42' 38" West, with the easterly line of said 83.26 acre tract, a distance of 600.83 feet to an iron pin set at the southeasterly corner of that 265.59 acre tract conveyed to James R. John, Trustee by deed of record in Official Record 739, Page 2124;

Thence North 84° 14' 17" East, with the westerly line of said 265.59 acre tract, a distance of 4441.76 feet to an iron pin set in the common line to Virginia Military Survey Numbers 557 and 1189;

Thence South 63° 04' 50" East, with said VMS line, a distance of 399.99 feet to the TRUE POINT OF BEGINNING, containing 68.962 acres of land, more or less.

Subject, however, to all legal rights-of-way and/or encumbrances, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMRT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by positional solutions derived by the National Geodetic Survey's Office Positioning Users Service software using GPS observations and observations of selected CORS base stations in the National Spatial Reference System. A bearing of South 63° 04' 50" East, assigned to the centerline of State Route 104, is designated the basis of bearings for this description.

This description is based on an actual field survey performed by, or under the direct supervision of, Matthew A. Kirk, Professional Surveyor Number 7863, in October, 2021.

EVANS, MECHEWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

9 Feb 21

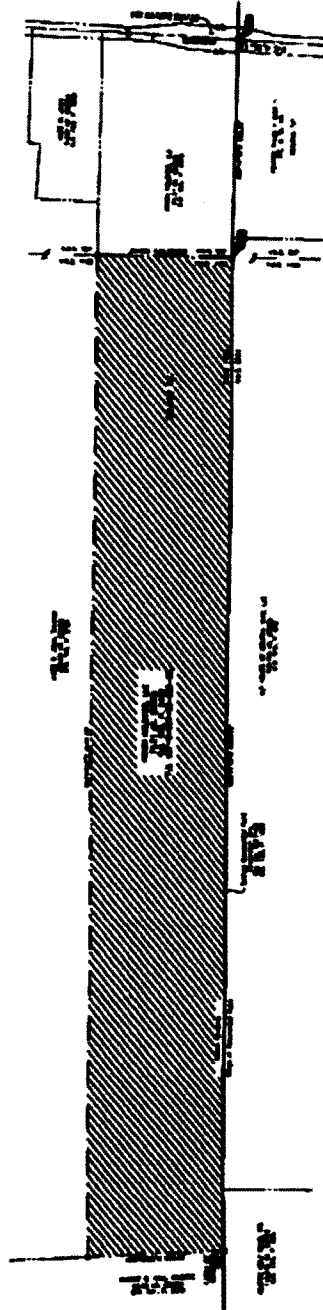
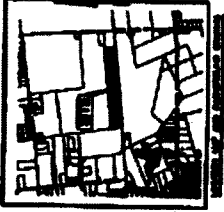
Matthew A. Kirk
Professional Surveyor No. 7863

Date



Survey Plat and LINES SUBSEQUENTLY APPROVED
PICKAWAY COUNTY ENGINEER
DATE 11/11/21

ANNEXATION PLAT OF 60.962 ACRES
FROM SCOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL FORT
VIRGINIA MILITARY SURVEY RIDGER 1189
TOWNSHIP OF SCOTO, COUNTY OF PICKAWAY, STATE OF OHIO



Map of the State of Ohio showing the location of the annexation plat within the state boundaries.



NOTICE TO THE PUBLIC
This plat is subject to the provisions of the Ohio Revised Code, Chapter 1631, and the Ohio Revised Code, Chapter 1632.



'22 FEB 7 215PM