

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF ±10.165 ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND DECLARING AN EMERGENCY

WHEREAS, a petition for an annexation of ±10.165 acres from Scioto Township was filed with the Board of County Commissioners of Pickaway County, Ohio on May 28, 2019 Craig Stevenson, agent for Petitioners Luke and Elizabeth Stevenson; and

WHEREAS, R.C. 709.023(C) requires that, within twenty days of an annexation petition being filed, the municipal authority shall adopt a statement of services indicating which services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory upon annexation; and

WHEREAS, R.C. 709.023(C) requires that, within twenty days of the annexation petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, R.C. 709.023(C) defines "buffer" to include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, and bicycle and pedestrian paths and sidewalks; and

WHEREAS, the total perimeter of the proposed annexed territory is approximately 3,227.86 feet, of which 1,294.33 feet are contiguous with the Village, giving 40% contiguity.

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

SECTION 1. The Village of Commercial Point will provide the following municipal services for the ±10.165 acres, subject territory currently in Scioto Township (Pickaway County) immediately upon the annexation of the area to the Village of Commercial Point, Ohio:

- (a) Centralized Sanitary Sewer;
- (b) Potable Water;
- (c) Zoning under Village Ordinances;
- (d) Police;
- (e) Residential Refuse/Recycle pick up under current contract.
- (f) Maintenance of roads included in the annexation

SECTION 2. Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Village, and (c) the municipal zoning permits uses in the annexed territory that the Village Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, the Village Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Commercial Point which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that this services resolution must be filed with the Board of County Commissioners no later than June 18, 2019. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Vote on Suspension of the Three Readings:

Motion by: _____ 2nd: _____

Roll Call:

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

Vote on Passage of the Resolution:

Motion by: _____ 2nd: _____

Roll Call:

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

Adopted this 17th day of June, 2019

Gary Joiner, Mayor

Wendy L. Hastings, Fiscal Officer

Approved as to Form:

Frost Brown Todd, LLC, Village Solicitor

05-28-19 P02:49 1M

**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

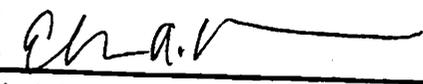
May 23, 2019

X



Luke Stevenson

X



Elizabeth Stevenson

Exhibit A

For Annexation Purpose Only

SURVEY PLAT and LEGAL DESCRIPTION

MATHEMATICALLY APPROVED

PICKAWAY COUNTY ENGINEER

BY CEB DATE 3-12-19

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 S58°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;

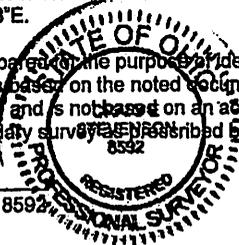
Thence with the north line of said 10.165 acre tract, the south line of said subdivision, partly with the north line of VMS 1189 and partly with the north line of VMS 557 N83°13'08"E 351.62 feet to the TRUE POINT OF BEGINNING;

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 prescribed by Ohio Administrative Code 4733-37.

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



3/5/19
Date

Exhibit B

ANNEXATION OF LANDS TO THE VILLAGE OF COMMERCIAL POINT
 SCIOTO TOWNSHIP, PICKAWAY COUNTY, OHIO
 VIRGINIA MILITARY SURVEY NO. 557 & 1189



PARCEL NUMBER	TOTAL ACRES	PROPOSED ACRES	% CHANGED	EXCLUDED ACRES
11818 ACRES	11818 ACRES	11818 ACRES	100.00%	0.00 ACRES
11819 ACRES	11819 ACRES	11819 ACRES	100.00%	0.00 ACRES
11820 ACRES	11820 ACRES	11820 ACRES	100.00%	0.00 ACRES
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HS
Hartel & Stevenson
 Civil Engineers and Surveyors
 120 E. Main, Ste. 1
 Columbus, Ohio 43215
 Phone: 614.220.1111
 Fax: 614.220.1112
 Website: www.hs-engineers.com

SCIO TO TOWNSHIP, PICKAWAY COUNTY, OHIO
ANNEXATION PLAN
 10.165 ACRES TO BE ANNEXED TO COMMERCIAL POINT
 VIRGINIA MILITARY SURVEY NO. 557 & 1189
 DATE: 11/15/2011

NOTICE: THE ANNEXATION OF LANDS TO THE VILLAGE OF COMMERCIAL POINT, SCIOTO TOWNSHIP, PICKAWAY COUNTY, OHIO, IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF PICKAWAY COUNTY, OHIO. THE BOARD OF SUPERVISORS SHALL HOLD A PUBLIC HEARING ON THE ANNEXATION PLAN AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS TO BE HELD ON THE 15TH DAY OF NOVEMBER, 2011, AT 7:00 P.M. IN THE BOARD ROOM OF THE PICKAWAY COUNTY COURTHOUSE, 100 EAST MAIN STREET, COLUMBUS, OHIO 43215. THE BOARD OF SUPERVISORS SHALL HAVE THE AUTHORITY TO APPROVE OR DENY THE ANNEXATION PLAN. THE BOARD OF SUPERVISORS SHALL HAVE THE AUTHORITY TO APPROVE OR DENY THE ANNEXATION PLAN. THE BOARD OF SUPERVISORS SHALL HAVE THE AUTHORITY TO APPROVE OR DENY THE ANNEXATION PLAN.