VILLAGE OF GEORGETOWN, OHIO

ORDINANCE NO. 2023-02

AN ORDINANCE ACCEPTING FOR ANNEXATION TO THE VILLAGE OF GEORGETOWN CERTAIN TERRITORY ON APPLICATION OF OWNERS

BE IT ORDAINED by the Council of the Village of Georgetown, Brown County, Ohio, a majority or more of all members thereof concurring, that:

SECTION 1. The proposed annexation as applied for in the petition of Sandra Puckett, approved for annexation to the Village of Georgetown by the Board of County Commissioners of Brown County, Ohio on August 27, 2014 is hereby accepted. The territory to be annexed is described as follows:

SEE EXHIBIT “A” ATTACHED HERETO

SECTION 2. More than sixty (60) days and less than one-hundred twenty (120) days have elapsed since the delivery of the certified copy of the entire record of the within annexation proceedings by the Clerk of the Board of County Commissioners to the Village as required by division (C)(1) of section 709.022 of the Revised Code.

SECTION 3. Council specifically reserves acceptance of any streets, roads or alleys shown on the annexation plat until such time as such streets, roads or alleys are constructed in accordance with the specifications of the Village of Georgetown, Ohio.

SECTION 4. Council specifically reserves extension of any public utilities into the area shown on the annexation plat until such time as the Village of Georgetown is able to furnish such utilities without over-burdening the existing infrastructure of the Village of Georgetown and provided such territory is sufficiently developed to make delivery of such services economically
feasible, all pursuant to and in accordance with the ordinances and resolutions of the Village of Georgetown.

SECTION 5. The Fiscal Officer is directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Fiscal Officer shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective, and the Fiscal Officer shall do all other things required by law.

SECTION 6. This ordinance shall be effective from and after the earliest date allowed by law.

ADOPTED this 11th day of December, 2014.

Dale E. Cahall, Mayor

ATTEST:

Natalie K. R. Newberry, Fiscal Officer
Annexation of 0.226 Acres

to the Village of Georgetown, Ohio

Situate in R. Lawson's MS. No. 2523, State Street Addition to Georgetown as recorded in Plat Book C-3, page 103, slide 111 in the Brown County, Ohio Recorder's Office, Pleasant Township, Brown County, Ohio and being identified as 31-060308-0000 conveyed to Sandra Puckett in Official Book 111, page 584 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows:

Beginning at a railroad spike set at the northeasterly corner of Lot 47 of State Street Addition to Georgetown as recorded in Plat Book C-3, page 103, slide 111 in the Brown County, Ohio Recorder's Office, said point also being on the corporation line of the Village of Georgetown as recorded in Plat Book 5, page 6, slide 388 in the Brown County, Ohio Recorder's Office and being on the westerly right-of-way line of Race Street;
Thence continuing with the said Village of Georgetown corporation line and continuing with the northerly line of Lot 47 North 78 degrees 05 minutes 43 seconds West a distance of 200.00 feet to a 1/2" iron pin found corner to Lot 33 in said State Street Addition to Georgetown;
Thence with the line of said Lot 33 in said State Street Addition to Georgetown North 02 degrees 13 minutes 45 seconds East a distance of 50.00 feet to a 1" iron pin found corner to Lot 45 of said State Street Addition to Georgetown;
Thence with the line of said Lot 45 in said State Street Addition to Georgetown South 78 degrees 06 minutes 11 seconds East a distance of 200.00 feet to a 1" iron pin found on the said westerly right-of-way line of Race Street;
Thence with the said westerly right-of-way line of Race Street South 02 degrees 13 minutes 45 seconds West a distance of 50.03 feet to the place of beginning, CONTAINING 0.226 ACRES more or less, subject, however, to all legal highways and easements of record.

Bearings are based upon the record bearing North 02 degrees 13 minutes 45 seconds East as established by G.S. Renshaw's 1995 survey and all other bearings and distances were measured in the field.

Surveyed by Christopher S. Renshaw, P.S. No. 8319 on 16 June 2014.
CERTIFICATE OF FISCAL OFFICER  
ON ACCEPTANCE OF ANNEXATION

In re:  Annexation of 0.226 acres to the Village of Georgetown, Ohio

The undersigned, Fiscal Officer of the Village of Georgetown, Brown County, Ohio,
hereby certifies that there is attached hereto a true and accurate copy of the petition, the map or
plat accompanying the petition, the transcript of proceedings of the board of county
commissioners, and resolutions and ordinances in relation to the above annexation.

[Signature]
Natalie K. R. Newberry, Fiscal Officer  
Village of Georgetown, Ohio

SEAL.
NOTICE TO BOARD OF ELECTIONS

OF ANNEXATION
( RC 709.011 )

To: Clerk, Board of Elections of Brown County, Ohio

Take notice that certain territory in Pleasant Township has been annexed by the Village of Georgetown by Ordinance No. [Insert], passed December 11, 2014, in proceedings for such annexation.

A true copy of the ordinance is attached, and contains an accurate description of the property annexed.

Natalie K. R. Newberry, Fiscal Officer
Village of Georgetown, Ohio
PETITION FOR ANNEXATION ON APPLICATION OF ALL OWNERS
(ORC 709.02 & 709.022)

To: Board of County Commissioners of Brown County, Ohio
    Brown County Administration Building
    800 Mt. Orab Pike
    Georgetown, Ohio 45121

The undersigned, being all of the owners of real estate within the area hereinafter described in Exhibit “A” and adjacent to and contiguous with the Village of Georgetown, do respectfully petition the Board of Brown County Commissioners to cause such territory to be annexed to the Village of Georgetown under authority of Section 709.022 of the Revised Code of Ohio.

The number of owners within the area are one (1) in total.

1. Attached to this Petition and made a part hereof is an accurate legal description of the perimeter of the territory proposed for annexation, marked Exhibit “A”.

2. Attached to this Petition and made a part hereof is an accurate map or plat of the territory proposed for annexation, marked Exhibit “B”.

3. Accompanying this Petition is a list of parcels in the area to be annexed and adjacent territory that includes name of owner, mailing address of owner and permanent parcel number, marked Exhibit “C”.

The undersigned Petitioners do hereby designate Jay D. Cutrell, who is located at 118 South Main Street, Georgetown, Ohio 45121, as their agent. His telephone number is (937) 378-6165; fax number is (937) 378-6567; and his email address is jdc@meconn-cutrell.com.
Petition for Annexation
to the Village of Georgetown

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD’S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Sandra Puckett  7-11-14
Sandra Puckett  Date Signed
54 Race Street
Georgetown, Ohio 45121
Parcel No. 31-006308.0000
Exhibit “A”

Annexation of 0.226 Acres
to the Village of Georgetown, Ohio

Situate in R. Lawson's MS. No. 2523, State Street Addition to Georgetown as recorded in Plat Book C-3, page 103, slide 111 in the Brown County, Ohio Recorder's Office, Pleasant Township, Brown County, Ohio and being identified as 31-060308-0000 conveyed to Sandra Puckett in Official Book 111, page 584 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows:

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Thence with the said westerly right-of-way line of Race Street South 02 degrees 13 minutes 45 seconds West a distance of 50.03 feet to the place of beginning, CONTAINING 0.226 ACRES more or less, subject, however, to all legal highways and easements of record.

Bearings are based upon the record bearing North 02 degrees 13 minutes 45 seconds East as established by G.S. Renshaw's 1995 survey and all other bearings and distances were measured in the field.

Surveyed by Christopher S. Renshaw, P.S. No. 8319 on 16 June 2014.
ANNEXATION AGREEMENT
(RC 709.192)

This Annexation Agreement is entered into by and between the Village of Georgetown, Brown County, Ohio, hereinafter known as the VILLAGE and the Township of Pleasant, Brown County, Ohio, hereinafter known as the TOWNSHIP,

WITNESSETH:

WHEREAS, Ohio Revised Code Section 709.192 authorizes municipal corporations and townships of the State of Ohio to enter into annexation agreements, and

WHEREAS, the legislative authority of the VILLAGE has authorized the execution of this Annexation Agreement by Resolution No. 1096 duly adopted on the 10th day of July, 2014; and

WHEREAS, the board of township trustees of the TOWNSHIP have authorized the execution of this Annexation Agreement by Resolution duly adopted on the 19th day of August, 2014;

NOW THEREFORE, it is hereby agreed by the VILLAGE and the TOWNSHIP as follows:

1. Sandra Puckett will petition for the annexation of the following territory, hereinafter referred to as the “Territory” to the VILLAGE pursuant to Ohio Revised Code Section 709.021:

   SEE EXHIBIT “A” ATTACHED HERETO

2. This Annexation Agreement pertains only to the annexation of the Territory referred to above.

3. Neither the VILLAGE nor the TOWNSHIP are zoned and this Annexation Agreement does not purport to deal with land use planning matters.
4. Nothing contained in this Annexation Agreement shall be construed to provide for joint services and/or permanent improvements by the VILLAGE or the TOWNSHIP within incorporated or unincorporated areas.

5. Nothing contained in this Annexation Agreement shall be construed to provide for services and/or permanent improvements by the VILLAGE in the unincorporated areas of the TOWNSHIP.

6. Nothing contained in this Annexation Agreement shall be construed to provide for services and/or permanent improvements by the TOWNSHIP in the incorporated areas of the VILLAGE.

7. Nothing contained in this Annexation Agreement shall be construed to provide for the payment of service fees to the VILLAGE by the TOWNSHIP.

8. Nothing contained in this Annexation Agreement shall be construed to provide for the payment of service fees to the TOWNSHIP by the VILLAGE.

9. There shall be no reallocation of minimum mandated levies established pursuant to section 5705.31 of the Revised Code between the VILLAGE and the TOWNSHIP in connection with this annexation.

10. Nothing contained in this Annexation Agreement shall be construed to require the issuance of notes and bonds or other debt obligations by the VILLAGE or the TOWNSHIP for public purposes.

11. The VILLAGE will provide the following services to the Territory following annexation thereof: police protection, fire protection and such public utilities as may be available, provided the VILLAGE is able to furnish such utilities without over-burdening the existing infrastructure of the VILLAGE and provided such territory is sufficiently developed to make delivery of such services
economically feasible, all pursuant to and in accordance with the ordinances and resolutions of the VILLAGE.

12. Nothing contained in this Annexation Agreement shall be construed to regulate the VILLAGE or the TOWNSHIP as to the application of tax abatement statutes within the Territory subsequent to the execution of this Annexation Agreement.

13. Nothing contained in this Annexation Agreement shall be construed to require the changing of township boundaries under Chapter 503 of the Revised Code to exclude newly annexed territory from the original township and providing services to that territory.

14. Nothing contained in this Annexation Agreement shall be construed to require the payment, in lieu of taxes, to the TOWNSHIP by the VILLAGE in addition to or in lieu of other payments required by law to be made to the TOWNSHIP by the VILLAGE.

15. The TOWNSHIP consents to the petition of Sandra Puckett for the annexation of the Territory to the VILLAGE.

16. The VILLAGE consents to the petition of Sandra Puckett for the annexation of the Territory to the VILLAGE.

Executed by the VILLAGE this 10th day of July, 2014.

Dale E. Cahall, Mayor

ATTEST:

Natalie K. R. Newberry, Fiscal Officer
Executed by the TOWNSHIP this 19th day of August, 2014

[Signatures of Township Trustees]

ATTEST:

[Signature]
Fiscal Officer of Pleasant Township

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of an Annexation Agreement approved by the Council of the Village of Georgetown, Brown County, Ohio on the 10th day of July 2014

[Signature]
Natalie K. R. Newberry, Fiscal Officer

Dated: July 10, 2014
CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of an Annexation Agreement approved by the Board of Township Trustees of Pleasant Township, Brown County, Ohio on the 19th day of August 2014.

[Signature]
Fiscal Officer of Pleasant Township

Dated: August 19, 2014
Exhibit “A”

Annexation of 0.226 Acres

to the Village of Georgetown, Ohio

Situated in R. Lawson’s MS. No. 2523, State Street Addition to Georgetown as recorded in Plat Book C-3, page 103, slide 111 in the Brown County, Ohio Recorder’s Office, Pleasant Township, Brown County, Ohio and being identified as 31-060308-0000 conveyed to Sandra Puckett in Official Book 111, page 584 in the Brown County, Ohio Recorder’s Office and being bounded and more particularly described as follows:

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Bearings are based upon the record bearing North 02 degrees 13 minutes 45 seconds East as established by G.S. Renshaw’s 1995 survey and all other bearings and distances were measured in the field

Surveyed by Christopher S. Renshaw, P.S. No. 8319 on 16 June 2014.
LIST OF TRACTS, LOTS OR PARCELS PURSUANT TO ORC § 709.02(D)

In the Matter of the Annexation of:
0.226 Acres to the Village of Georgetown
on Petition of Sandra Puckett

The undersigned, being the agent for the Petitioners in connection with the above referenced Petition for Annexation, hereby states that the following constitutes a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, including the name and mailing address of the owner of each tract, lot, or parcel and the permanent parcel number from the county auditor’s permanent parcel numbering system established under Ohio Revised Code Section 319.28 for each tract, lot or parcel:

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<tr>
<th>Owner Name and Address</th>
<th>Parcel Number</th>
<th>Acreage</th>
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<tbody>
<tr>
<td>Sandra Puckett</td>
<td>31-006308.0000</td>
<td>Lot 46</td>
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<tr>
<td>54 Race Street</td>
<td></td>
<td></td>
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<tr>
<td>Georgetown, Ohio 45121</td>
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<th>Acreage</th>
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<tr>
<td>James D. Myers and</td>
<td>31-060320.0000</td>
<td>Lot 45</td>
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<td>Debra L. Myers</td>
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<td></td>
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<tr>
<td>38 Hamer Road</td>
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<td>James F. Dean and</td>
<td>33-068176.0000</td>
<td>Lot 47</td>
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<td>Bonnie Dean</td>
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<td>60 Race Street</td>
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<tbody>
<tr>
<td>David F. Rockey and</td>
<td>31-060528.0000</td>
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<tr>
<td>Jean K. Rockey</td>
<td></td>
<td></td>
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Tracts Adjacent to Territory Proposed for Annexation
(Continued)

Carrington Farm Supply, Inc.
69 Race Street
Georgetown, Ohio 45121

33-067692.0000
Lot 58

Jay D. Gutrell, Agent for Petitioners
RESOLUTION OF COUNTY COMMISSIONERS APPROVING ANNEXATION

These proceedings came on for consideration by the Board of County Commissioners of Brown County, Ohio on the petition of Sandra Puckett praying for the annexation of certain territory in Pleasant Township to the Village of Georgetown. The Board of County Commissioners finds as follows:

1. The petition contains all matter required by law including, without limitation:
   a) An accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation;
   b) A statement of the total number of owners of real estate in the territory sought to be annexed;
   c) The name of the person to act as agent for the petitioners.

2. At the time of filing, the petition was accompanied by:
   a) a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, including the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number from the county auditor's permanent parcel numbering system established under section 319.28 of the Revised Code for each tract, lot, or parcel;
   b) a certified copy of an annexation agreement provided for in section 709.192 of the Revised Code that has been entered into by the municipal corporation and each township any portion of which is included within the territory proposed for annexation.

3. The petition has been filed under section 709.021 of the Revised Code and requests to follow that section and section 709.022 of the Revised Code for the special procedure of annexing
land with the consent of all parties; that all owners of real estate in the territory sought to be annexed, not just a majority of owners, have signed the petition; and that the petition contains the notice provided for in division (B) of section 709.022 of the Revised Code.

Therefore, the prayer of the petition is hereby granted without hearing and the territory described in the petition shall be annexed to the Village of Georgetown. The final transcript of this Board relating thereto together with the accompanying plat and petition and all other papers pertaining thereto shall be delivered forthwith to the Fiscal Officer of the Village of Georgetown.

Dated 8/27, 2014

Voting aye thereon:

Tony Applegate, Commissioner
Darrell C. Gray, Commissioner
Barry Woodruff, Commissioner

Attest:

Sarah Prebble, Clerk
CERTIFICATION OF TRANSCRIPT BY COUNTY COMMISSIONERS

We, a majority of the members of the Board of County Commissioners of Brown County, Ohio, certify that the attached papers constitute all the original papers and a true transcript of all proceedings had by the Board in connection with the petition filed by Sandra Puckett, being all of the owners of real estate in the territory sought to be annexed, praying for annexation of certain adjacent and contiguous territory in the Township of Pleasant to the Village of Georgetown, Ohio pursuant to section 709.021 and 709.022 of the Revised Code as described in the petition filed August 27, 2014.

Tony Applegate, Commissioner

Darryl Gray, Commissioner

Barry Woodruff, Commissioner

Attest:

Sarah Prebple, Clerk