



RESOLUTION 023-2023

TO AUTHORIZE THE SERVICES THAT THE CITY OF MARYSVILLE WILL PROVIDE SHOULD THE +/- 254.804 ACRES LOCATED IN DOVER AND PARIS TOWNSHIPS, UNION COUNTY, OHIO, CONTIGUOUS TO THE CITY OF MARYSVILLE, BE ANNEXED INTO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS

WHEREAS, On October 3, 2023, pursuant to Ohio Revised Code Section 709.023, the property owners seeking annexation of +/- 254.804 acres of real property in Dover and Paris Townships, Union County, Ohio, which is contiguous to the City of Marysville along 23.49%, filed with the Board of County Commissioners of Union County, Ohio, an Expedited Type II Petition for Annexation of their property to the City of Marysville, a copy of which is attached and incorporated herein as Exhibit A; and

WHEREAS, on October 3, 2023 said Petition was delivered to the City of Marysville from the Board of County Commissioners of Union County, Ohio; and

WHEREAS, Ohio Revised Code Section 709.023 (C) provides that within twenty days after the date that the petition is filed, the municipal corporation to which annexation is sought, shall adopt a resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, the Ohio Revised Code Section 709.023 (C) also provides that within that same twenty day period, the municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality's zoning allows uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall 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 now remaining within the township; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

Section I. In the event that the proposed +/- 254.804 acres (the "Property") is annexed to the City of Marysville, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Marysville, including but not limited to police, fire and EMS protection, sanitary sewers, water lines, storm sewers, public roadway, refuse collection, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation,

the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem, the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

Section II. If the Property is annexed and becomes subject to the City of Marysville zoning, and the City zoning allows uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Dover and Paris Townships, then the City of Marysville will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining with Dover and/or Paris Township.

Section III. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Union County Board of County Commissioners and to send a copy to the Agent for the Petitioners for annexation within twenty days following the date that the petition was filed.

Section IV. This Resolution is effective upon its adoption.

One Reading Only: October 9, 2023

Passed: October 9, 2023

APPROVED AS TO FORM:

Law Director Date _____



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

Union County Commissioners

EXHIBIT A
REC'D OCT 3 2023

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF MARYSVILLE OF 254.804 +/- ACRES, MORE OF LESS,
FROM DOVER TOWNSHIP AND PARIS TOWNSHIP**

TO THE BOARD OF COUNTY COMMISSIONERS
OF UNION COUNTY, OHIO

The undersigned, petitioners in the premises, and being the SOLE OWNERS OF REAL ESTATE in the territory described, consisting of 254.804 acres, more or less, with a total length of the annexation perimeter of 22,649.27 feet, more or less, in the Township of Dover and in the Township of Paris, which area is contiguous along 5,319.74 feet, or 23.49% to the City of Marysville, do hereby pray that said territory be annexed to the City of Marysville, 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 survey plat of said territory so prayed to be annexed are attached hereto as Exhibits "A" and "B" and made part hereof.

In support of said Petition, the petitioners state that they are the SOLE OWNERS OF THE REAL ESTATE within the territory so prayed to be annexed.

Thomas L. Hart, whose address is Painter & Associates, LLC, 5029 Cemetery Road, Hilliard, OH 43026, and Richard T. Ricketts, whose address is Ricketts Co. LPA, 50 Hill Road South, Pickerington, OH 43147, are hereby appointed agents for the undersigned Petitioners, as required by Section 709.02 of the Revised Code of Ohio. With regard to their agency for their respective petitioners, said agents are hereby authorized to make any amendment and/or deletion which in each of their 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 Union County Engineer in his examination of an amended survey plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

"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 THE 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."

RECEIVED

OCT 03 2023

CITY OF MARYSVILLE

As to Parcel No. 1100120010000

Watkins Road Development Co. LLC,
an Ohio limited liability company

By: [Signature]
Mg Member 9/28/23
Title/Print Name

RECEIVED

OCT 03 2023

Union County
Commissioners

As to Parcel No. 2800170430000:

18530 LLC, an Ohio limited liability company

By: [Signature]
Mg Member 9/28/23
Title/Print Name

As to Parcel No. 2800210050000:

18530 LLC, an Ohio limited liability company

By: [Signature]
Mg Member 9/28/23
Title/Print Name

DESCRIPTION OF 254.804 ACRES

Situated in the State of Ohio, County of Union, Townships of Paris and Dover, Virginia Military Survey Numbers 2254, 3350 and 9028, being all of a 51.654 acre tract of land described in deed to Watkins Road Development Co LLC of record in Instrument Number 202309130006714, being all of a 69.725 acre tract of land described in deed to 18530, LLC of record in Instrument Number 202303080001593, being all of a 117.357 acre tract of land described in deed to 18530 LLC of record in Instrument Number 202301200000443, and being part of the right-of-way of State Route 33, all references to records being on file in the Office of the Recorder, Union County, Ohio, said 254.804 acre tract being more fully described herein;

BEGINNING at a point on the southerly limited access right-of-way of State Route 33, being on a northerly line of the City of Marysville as incorporated in Ordinance 41-91, being on a southerly line of Paris Township, being at the northwest corner of Lot 4 of Marysville Industrial Park of record in Plat Book 4, Page 131 being a 48.04 acre tract of land as described in deed to Nissin International Transport of record in Deed Book 315, Page 681, and being at the northeast corner of a 113.932 acre tract of land described in deed to City of Marysville of record in Instrument Number 201611040009147;

Thence **North 05°03'57" West**, a distance of **276.34** feet, across said State Route 33, to a point on the northerly limited access right-of-way line of said State Route 33, being at the southeast corner of a 27.60 acre tract of land described in deed to 18530 LLC of record in Instrument Number 202301200000444, and being at the southwest corner of a 6.94 acre tract of land described in deed to Joshua T. & Amy R. Codner of record in Official Record Volume 691, Page 51;

Thence **South 53°51'35" East**, a distance of **680.66** feet, with the northerly limited access right-of-way line of said State Route 33, with the south line of said 6.94 acre tract, and with the south line of a 8.22 acre tract of land described in deed to Frederick J. Durant of record in Instrument Number 201706300005406, to a point at the southeast corner of said 8.22 acre tract, and being at the southwest corner of said 117.357 acre tract;

Thence **North 05°27'16" West**, a distance of **2045.04** feet, with the west line of said 117.357 acre tract, with the east line of said 8.22 acre tract, with the east right-of-way line of Wildwood Lane, and with the east line of a 6.00 acre tract of land described in deed to 1833 Farms LLC of record in Instrument Number 202302060000856, to a point at the northwest corner of said 117.357 acre tract, being at the northeast corner of said 6.00 acre tract, being on the south line of said 69.725 acre tract, being on the north line of Virginia Military Survey Number 2254, and being on the south line of Virginia Military Survey Number 3350;

Thence **South 85°29'29" West**, a distance of **51.09** feet, with the south line of said 69.725 acre tract, with the north line of said 6.00 acre tract, with the east right-of-way line of said Wildwood Lane, with the north line of said Virginia Military Survey Number 2254, and with the south line of said Virginia Military Survey Number 3350, to a point at the southwest corner of said 69.725 acre tract, and being at the southeast corner of a 173.635 acre tract of land described in deed to Gary J. Lee, for and during his natural life, remainder to Ryan J. Lee and Gregory J. Lee in Instrument Numbers 201709270008015 and 201709270008017;

Thence **North 06°17'00" West**, a distance of **1794.82** feet, with the west line of said 68.725 acre tract, with the east right-of-way line of said Wildwood Lane, and with the east line of said 173.635 acre tract, to a point at a northwest corner said 69.725 acre tract, and being at the southwest corner of a 0.952 acre tract of land described in deed to Jessica L. & Kynndall A. Ingram of record in Instrument Number 202207200006959;

Thence with the exterior boundary of said 69.725 acre tract and said 0.952 acre tract, the following two (2) courses:

1. **North 83°48'56" East**, a distance of **159.06** feet, to a point;
2. **North 06°15'04" West**, a distance of **249.90** feet, to a point in the centerline of County Road 104 (Watkins Road);

A


The above description is based on deeds of record and available existing surveys, the aforementioned description is not intended to be used for the transfer of real property. The acreages and distances shown are intended for annexation purposes only.

Area to be annexed has 5,319.74 feet contiguity with the existing corporation line of the City of Marysville, having a total perimeter of 22,649.27 feet that contains 23.49% contiguity with existing corporation lines of the City of Marysville.

The above description is a general description of the location of the property to be annexed. The survey was performed in September of 2022.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.


Jeremy L. Van Ostran, P.S.
Registered Surveyor No. 8283

9/22/2023

Date

EXHIBIT C - ADJACENT PROPERTY OWNERS

1. Parcel No. 2800210040000
Frederick K. Durant
15190 Wildwood Lane
Marysville, OH 43040
2. Parcel No. 2800210020000
15301 Wildwood Lane
1833 Farms LLC
17421 Waldo Road
Marysville, OH 43040
3. Parcel No. 2800170430000
Watkins Road
Janibo Farms, LLC
17421 Waldo Road
Marysville, OH 43040
4. Parcel No. 1100160750000
Keith & Debra Mohler
14360 Hinton Mill Road
Marysville, OH 43040
5. Parcel No, 1100161120000
Wade Sumter & Erin Sumter
14293 Oxford Drive
Marysville, OH 43040
6. Parcel No. 1100161130000
Caradna & Jonathan Miller
14273 Oxford Drive
Marysville, OH 43040
7. Parcel No. 1100161140000
Ryan & Stephanie Hohman
14253 Oxford Drive
Marysville, OH 43040

8. Parcel No. 1100161150000
Raymond & Lucy Merrill
14233 Oxford Drive
Marysville, OH 43040
9. Parcel No. 1100161160000
Kara Brown & Tamara Miller
14213 Oxford Drive
Marysville, OH 43040
10. Parcel No. 1100161170000
Derrick & Nicole Wolf
14193 Oxford Drive
Marysville, OH 43040
11. Parcel No. 1100161180000
Michele Brunswick
14183 Oxford Drive
Marysville, OH 43040
12. Parcel No. 1100161190000
Timothy Carver
14173 Oxford Drive
Marysville, OH 43040
13. Parcel No. 1100161200000
Paul & Christine Sandstorm
14153 Oxford Drive
Marysville, OH 43040
14. Parcel No. 1100161210000
Vengphonh Sphapmixay
14133 Oxford Drive
Marysville, OH 43040
15. Parcel No. 1100161220000
Mark & Whitney Willoughby
14113 Oxford Drive
Marysville, OH 43040

16. Parcel No. 1100161230000
Jobeth Kugel
14093 Oxford Drive
Marysville, OH 43040
17. Parcel No. 1100161240000
Alan & Amber Swayne
14073 Oxford Drive
Marysville, OH 43040
18. Parcel No. 1100161250000
David & Taylor Yoder
14053 Oxford Drive
Marysville, OH 43040
19. Parcel No. 1100161260000
Douglas Mathews & Chelsea Eley
14033 Oxford Drive
Marysville, OH 43040
20. Parcel No. 1100161270000
Charles & Marcia Easton
14013 Oxford Drive
Marysville, OH 43040
21. Parcel No. 1100161280000
Elizabeth Jacoby
13993 Oxford Drive
Marysville, OH 43040
22. Parcel No. 1100161290000
Merrill Reed
13983 Oxford Drive
Marysville, OH 43040
23. Parcel No. 1100120010100
Stacy & Pamela Craig
13821 Hinton Mill Road
Marysville, OH 43040

24. Parcel No. 1100120019000
Thomas & Annalise Romine
13771 Watkins Road
Marysville, OH 43040
25. Parcel No. 1100120010120
Michael James Totterdale
13660 Watkins Road
Marysville, OH 43040
26. Parcel No. 1100120010110
Steven & Emily Hice
13630 Watkins Road
Marysville, OH 43040
27. Parcel No. 1100120230000
Watkins Road
Barbara & Scott Akers
215 Evening Tide Way
Willis, TX 77318
28. Parcel No. 1100120020020
William & Deisy Schmitter
13625 Watkins Road
Marysville, OH 43040
29. Parcel No. 1100120020010
Steven & Suzanne Schmitter
13619 Watkins Road
Marysville, OH 43040
30. Parcel No. 2900300170000
13900 Scottslawn Road
Hyponex Corporation
14111 Scottslawn Road
Marysville, OH 43040
31. Parcel No. 2900300171000
Scotts Company LLC
14110 Scottslawn Road

Marysville, OH 43040

32. Parcel No. 2900230670000
UMH OH Hillcrest LLC
14200 Industrial Pkwy.
Marysville, OH 43040
33. Parcel No. 2900230660000
Nissin International Transport
14353 Suntra Way
Marysville, OH 43040
34. Parcel No. 2800170450010
15041 Watkins Road
Gary Lee, life estate
17421 Waldo Road
Marysville, OH 43040
35. Parcel No. 2800170310000
Watkins Road
Cougar State Fams Ltd.
% Herr
3160 Kingsmead Trace
Dublin, OH 43017
36. Parcel No. 2800170431000
Paul Henning
14579 Watkins Road
Marysville, OH 43040
37. Parcel No. 2800170370000
Karl & Merilyn Martin
14872 Watkins Road
Marysville, OH 43040
38. Parcel No. 1100160190000
Mark & Rebecca Clarridge
14311 Watkins Road
Marysville, OH 43040

**EXHIBIT D - LIST OF PARCEL OWNERS WITHIN
TERRITORY TO BE ANNEXED**

Parcel No. 1100120010000
Watkins Road Development Co. LLC
17421 Waldo Road
Marysville, OH 43040

Parcel No. 2800170430000
18530, LLC
Ryan Lee
17421 Waldo Road
Marysville, OH 43040

Parcel No 2800210050000
18530 LLC
Ryan Lee
17421 Waldo Road
Marysville, OH 43040