



RESOLUTION 011-2024

TO AUTHORIZE THE SERVICES THAT THE CITY OF MARYSVILLE WILL PROVIDE SHOULD THE +/- 243.892 ACRES LOCATED IN PARIS TOWNSHIP, UNION COUNTY, OHIO, CONTIGUOUS TO THE CITY OF MARYSVILLE, BE ANNEXED INTO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS

WHEREAS, On May 8, 2024, pursuant to Ohio Revised Code Section 709.023, the property owners seeking annexation of +/- 243.892 acres of real property in Paris Township, Union County, Ohio, which is contiguous along 5052.12 feet or 31%, to the City of Marysville, 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 May 8, 2024, a copy of said Petition date-stamped from the Union County Board of County Commissioners was delivered to the Clerk of Council; 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 +/- 243.892 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, and 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 Paris Township, 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 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: May 13, 2024

Passed: May 13, 2024

APPROVED AS TO FORM:


Law Director Date 5/13/24



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF MARYSVILLE OF 243.892+/- ACRES, MORE OF LESS,
FROM 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 243.892 acres, more or less, with a total length of the annexation perimeter of 16,299.21 feet, more or less, in the Township of Paris, which area is contiguous along 5,052.12 feet, or 31% 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.

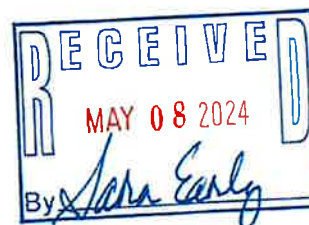
Thomas L. Hart, whose address is Painter & Associates, LLC, 5029 Cemetery Road, Hilliard, OH 43026, is hereby appointed agent for the undersigned Petitioners, as required by Section 709.02 of the Revised Code of Ohio. With regard to the agency for the respective petitioners, said agent is hereby authorized to make any amendment and/or deletion which in each of his 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

MAY 08 2024

CITY OF
MARYSVILLE



**As to Parcel Nos. 28-0017005.0000, 28-0017001.0000,
28-0017008.0010, and 28-0017006.0010**

Jerry L. Feucht 5-7-24
Jerry L. Feucht Date

**As to Parcel Nos. 28-0014028.0010 and
28-0017003.0000:**

(agent for Robert C. Feucht)
Betty Jo Feucht 5/2/2016
Robert C. Feucht Date

Betty Jo Feucht 5/2/2016
Betty Jo Feucht Date

EXHIBITS

Exhibit A - Legal Description of Proposed Annexation

Exhibit B - Plat Survey of Proposed Annexation

Exhibit C - Adjacent Property Owners to Proposed Annexation

ANNEXATION DESCRIPTION
of
243.892 Acres +/-
from
PARIS TOWNSHIP
to
CITY OF MARYSVILLE, UNION COUNTY, OHIO

Situate in the State of Ohio, County of Union, Township of Paris, lying in Virginia Military Survey Numbers 3350 and 3352, and being ALL of the 24.52-acre tract conveyed to Jerry L. Feucht by deed of record in Instrument No. 202105130006587, the 14.439-acre tract conveyed to Jerry L. Feucht by deed of record in Instrument No. 202105130006590, the 1.5-acre tract conveyed to Robert C. and Betty Jo Feucht by deed of record in Instrument No. 202105280007281, the 127.98-acre (126.48-acres Auditor) tract conveyed to Robert C. and Betty Jo Feucht by deed of Instrument No. 202105280007281, the 42.58-acre tract conveyed to Jerry L. Feucht by deed of record in Instrument No. 202105130006588, and PART of the 38.43-acre tract conveyed to Jerry L. Feucht by deed of record in Instrument No. 202001060000140, and PART of the existing right-of-way of U.S. Route 36 (varying in width), records of the Recorder's Office, Union County, Ohio, and being more particularly described as follows:

BEGINNING at a point in the existing City of Marysville corporation line in the centerline of said U.S. Route 36 at the southwesterly corner of said 24.52-acre tract;

Thence the following three (3) courses and distances along said City of Marysville Corporation line:

1. Thence North 06° 35' 48" West, a distance of 1,440.99 feet, and the westerly line of said 24.52-acre tract, to a point at the southeasterly corner of said 14.439-acre tract;
2. Thence South 72° 14' 13" West, a distance of 1,724.20 feet, and along the southerly line of said 14.439-acre tract, to a point at the southwesterly corner of said 14.439-acre tract;
3. Thence North 05° 54' 04" West, a distance of 1,723.24 feet, and along the westerly lines of said 14.439-acre and aforesaid 127.98-acre tracts, to a point;

Thence leaving said City of Marysville Corporation line, the following two (2) courses and distances continuing along said westerly line of the 127.98-acre tract:

1. Thence North 05° 02' 33" West, a distance 2,145.60 feet, to a point;
2. Thence North 05° 03' 39" West, a distance of 563.88 feet, to a point in Mill Creek at the northwesterly corner of said 127.98-acre tract;

Thence the following twenty-five (25) courses and distances along Mill Creek and northerly lines of said 127.98-acre tract:

1. Thence North 40° 21' 47" East, a distance of 111.93 feet, to a point;

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2. Thence South $85^{\circ} 08' 05''$ East, a distance of 164.70 feet, to a point;
3. Thence South $66^{\circ} 33' 37''$ East, a distance of 59.19 feet, to a point;
4. Thence South $43^{\circ} 04' 53''$ East, a distance of 90.14 feet, to a point;
5. Thence South $29^{\circ} 45' 25''$ East, a distance of 99.23 feet, to a point;
6. Thence South $60^{\circ} 16' 59''$ East, a distance of 146.76 feet, to a point;
7. Thence North $88^{\circ} 46' 57''$ East, a distance of 98.33 feet, to a point;
8. Thence North $68^{\circ} 23' 08''$ East, a distance of 105.56 feet, to a point;
9. Thence North $80^{\circ} 43' 41''$ East, a distance of 24.00 feet, to a point
10. Thence South $86^{\circ} 04' 25''$ East, a distance of 42.00 feet, to a point
11. Thence South $61^{\circ} 34' 25''$ East, a distance of 113.00 feet, to a point
12. Thence South $48^{\circ} 34' 25''$ East, a distance of 175.00 feet, to a point;
13. Thence South $44^{\circ} 04' 25''$ East, a distance of 153.93 feet, to a point;
14. Thence South $44^{\circ} 04' 25''$ East, a distance of 30.07 feet, to a point;
15. Thence South $58^{\circ} 34' 25''$ East, a distance of 165.00 feet, to a point;
16. Thence South $67^{\circ} 47' 55''$ East, a distance of 61.77 feet, to a point
17. Thence North $75^{\circ} 49' 16''$ East, a distance of 48.40 feet, to a point;
18. Thence South $71^{\circ} 17' 39''$ East, a distance of 90.94 feet, to a point;
19. Thence South $63^{\circ} 05' 14''$ East, a distance of 124.35 feet, to a point;
20. Thence South $30^{\circ} 13' 47''$ East, a distance of 101.11 feet, to a point;
21. Thence South $01^{\circ} 18' 23''$ West, a distance of 98.21 feet, to a point;
22. Thence South $08^{\circ} 16' 42''$ West, a distance of 79.71 feet, to a point;
23. Thence South $05^{\circ} 08' 46''$ East, a distance of 63.25 feet, to a point;

2. Thence South 42° 42' 49" West, a distance of 56.36 feet, to a point;
3. Thence South 67° 49' 48" West, a distance of 312.33 feet, to a point in the aforesaid City of Marysville Corporation line;

Thence the following two (2) courses and distances along said City of Marysville corporation line and across said U.S. Route 36 right-of-way:

1. Thence North 05° 28' 53" West, a distance of 71.08 feet, to a point in the centerline of said U.S. Route 36;
2. Thence South 70° 10' 36" West, a distance of 92.61 feet, and along said centerline of U.S. Route 36, to the **POINT OF BEGINNING**;

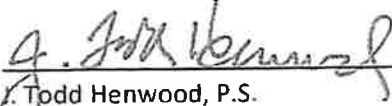
Containing 243.892 acres, more or less.

The bearings in the above description are based on Ohio State Plane Coordinate System, North Zone, NAD83.

The above description of the property to be annexed is based partly on available records and partly on ALTA/NSPS Land Title Surveys prepared by Sheffler & Company, Inc. dated May 1, 2023, but does NOT represent a Boundary Survey as defined in O.A.C. Chapter 4733-37.

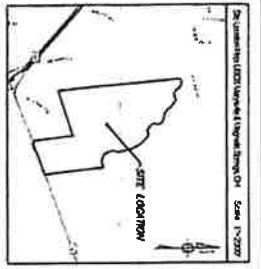
The above described annexation contains a distance of 5,052.12 feet contiguous with the existing City of Marysville Corporation line and a total perimeter of 16,299.21 feet to be annexed. 31% of the perimeter length is contiguous to the existing City of Marysville Corporation line.

Sheffler and Company, Inc.


J. Todd Henwood, P.S.
Ohio Reg. No. 7660

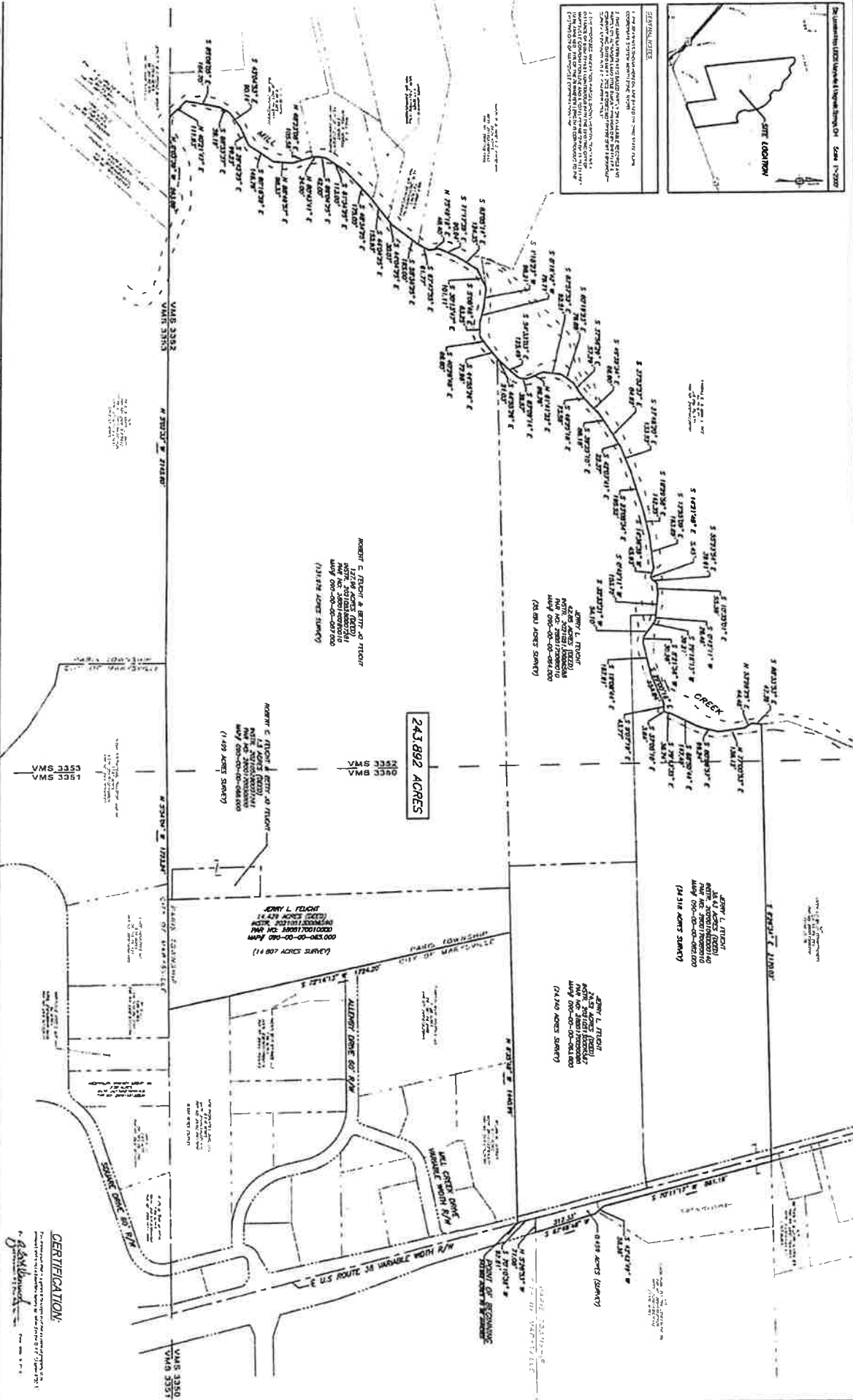
04.20.2024
Date





LEGEND

- 1. PROPERTY BOUNDARIES
- 2. EXISTING ROADS
- 3. EXISTING UTILITIES
- 4. EXISTING BUILDINGS
- 5. EXISTING TREES
- 6. EXISTING FENCES
- 7. EXISTING SETBACKS
- 8. EXISTING EASEMENTS
- 9. EXISTING ENCROACHMENTS
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- 99. EXISTING ADJACENT ENCROACHMENTS
- 100. EXISTING ADJACENT PROPERTIES



<p>811</p> <p>Call before you dig</p>	<p>Historical Scale</p> <p>1" = 100'</p>	<p>Project Information</p> <p>Project Name: Proposed Annexation of 243,892 ± Acres From Paris Township to The City of Maysville</p> <p>Project Number: 1132</p> <p>Project Date: 08/11/10</p> <p>Project Status: Final</p>	<p>Shaffer & Company, Inc.</p> <p>1132 Main Street, Suite 100</p> <p>Mayfield, OH 44130</p> <p>Phone: (440) 933-1132</p> <p>Fax: (440) 933-1133</p> <p>Email: info@shafferco.com</p>	<p>Proposed Annexation of 243,892 ± Acres From Paris Township to The City of Maysville</p> <p>Rockford Development Investments, LLC.</p> <p>1132 Main Street, Suite 100</p> <p>Mayfield, OH 44130</p> <p>Phone: (440) 933-1132</p> <p>Fax: (440) 933-1133</p> <p>Email: info@shafferco.com</p>	<p>Annexation Plat</p> <p>Plat Number: 1</p> <p>Plat Date: 08/11/10</p> <p>Plat Status: Final</p> <p>Plat Description: Proposed Annexation of 243,892 ± Acres From Paris Township to The City of Maysville</p>
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CERTIFICATION:

I, **Shaffer & Company, Inc.**, do hereby certify that the foregoing is a true and correct copy of the original as recorded in the public records of the State of Ohio.

Shaffer & Company, Inc.

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EXHIBIT C - ADJACENT PARCEL OWNERS

1. Parcel No. 28-0017009.0000
Union Co. Bd. of Commissioners
15146 U.S. 36
Marysville, OH 43040
2. Parcel No. 28-0017024.0000
Matthew & Laura Schroeder
15233 U.S. 36
Marysville, OH 43040
3. Parcel No. 28-0014022.0000
Randall & Anne Rice
17610 Waldo Road
Marysville, OH 43040
4. Parcel No. 28-0014023.0000
Aaron & Angela Hanselman
17496 Waldo Road
Marysville, OH 43040
5. Parcel Nos. 28-0014034.0000 and
28-0014024.0000
17456 Waldo Road
Jamey Johnson
P. O. Box 405
Marysville, OH 43040
6. Parcel No. 28-0014026.2000
Patrick & Randall Morgan, Trustees
17418 Waldo Road
Marysville, OH 43040
7. Parcel No. 28-0014026.0000
Julie Morrow
17380 Waldo Road
Marysville, OH 43040

8. Parcel No. 28-0013036.0000
Jerald & Christine Moder
17316 Waldo Road
Marysville, OH 43040
9. Parcel No. 28-0013026.0000
John Stultz
17288 Waldo Road
Marysville, OH 43040
10. Parcel No. 28-0013037.0000
Jonathan & Donyel Gibson
17250 Waldo Road
Marysville, OH 43040
11. Parcel No. 28-0013027.0010
Tim & Karyn White
17200 Waldo Road
Marysville, OH 43040
12. Parcel No. 29-0016008.0000
Nissin International Transport USA
16940 Square Drive
Marysville, OH 43040
13. Parcel No. 29-0016009.0000
U-Co Industries Inc.
16900 Square Drive
Marysville, OH 43040
14. Parcel No. 29-0016010.1000
RY-1 LLC
16710 Square Drive
Marysville, OH 43040
15. Parcel No. 28-0017008.0010
US 36
Jerry Feucht
14742 U.S. 36
Marysville, OH 43040

16. Parcel Nos. 28-0017008.0020 and
29-0004397.0000
Union Rural Electric Cooperative Inc.
15461 U.S. 36
Marysville, OH 43040
17. Parcel No. 29-0021002.6000
William Gardner
15600 U.S. 36
Marysville, OH 43040
18. Parcel No. 29-0021002.9000
Elmwood Villas Holdings LLC
514 Allenby Drive
Marysville, OH 43040
19. Parcel No. 29-0021002.4060
Radius Self Storage LLC
617 Allenby Drive
Marysville, OH 43040
20. Parcel No. 29-0021001.0000
Square Drive
MFM Properties Ohio LLC
1448 Conner Street
Noblesville, IN 46060