

ORDINANCE NO. 88-23

BY: M.W. Pittenger

**AN ORDINANCE ACCEPTING THE APPLICATION  
FOR THE ANNEXATION OF CERTAIN TERRITORY  
CONTAINING +/- 4.880 ACRES FROM MONROE  
TOWNSHIP TO THE CITY OF TIPP CITY**

**WHEREAS**, on August 7, 2023, the Monroe Township Trustees entered into an annexation agreement for the proposed annexation in accordance with Resolution 8-C-23 following the expedited annexation process as established by the Ohio Revised Code; and

**WHEREAS**, on August 21, 2023, the City of Tipp City entered into an annexation agreement for the proposed annexation in accordance with Resolution 38-23 following the expedited annexation process as established by the Ohio Revised Code; and

**WHEREAS**, a petition for the annexation of certain territory in Monroe Township, Miami County, Ohio, was duly filed for the petitioners of the affected real estate on September 15, 2023; and

**WHEREAS**, the petition was duly considered by the Board of County Commissioners of Miami County, Ohio on September 21, 2023 in accordance with the expedited annexation procedures; and

**WHEREAS**, the Board of County Commissioners has approved the annexation of the territory to the City of Tipp City, Ohio, as hereinafter described; and

**WHEREAS**, the Board of County Commissioners certified the transcript of the proceedings held in connection with the annexation with the maps and petition required to City Council of Tipp City, Ohio, who received the same on October 2, 2023; and

**WHEREAS**, sixty (60) days from the date of filing have now elapsed in accordance with provisions of Section 709.04 of the Ohio Revised Code; and

**WHEREAS**, the property sought to be annexed is zoned Highway Business (B-1) in Miami County. Thus, the Tipp City Planning Board has recommended an interim zoning of Highway Business (HB), in accordance with Code Section 154.04 (C)(1).

**WHEREAS**, Tipp City's 2017 Comprehensive Master Development Plan shows this area as an "Commercial Node." Thus, the property owner will seek a final zoning of Highway Business (HB), in accordance with Code Section 154.03 (C)(5)(a).

**NOW, THEREFORE, THE MUNICIPALITY OF TIPP CITY HEREBY ORDAINS:**

**SECTION 1.** That the proposed annexation of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Miami County, Ohio on September 15, 2023, and which territory prayed for annexation to the City of Tipp City, Ohio of certain territory adjacent thereto as hereinafter described, and which the petition was approved for annexation by the Board of Commissioners of Miami County, Ohio on September 21, 2023, be and the same is hereby accepted. This territory is described as follows:

Situate in the Southwest Quarter of Section 10, Town 4, Range 6 East, Monroe Township, Miami County, State of Ohio and being 4.880 acres heretofore conveyed to Stephen D. Zell and Patricia L. Zell by deed, recorded as Deed Reference 2022OR-13216 in the Miami County Recorder's office in Troy, OH, and being more particularly described as follows, to-wit:

Commencing at an existing iron pin in a monument box at the southwest corner of the Southwest Quarter of Section 10;

Thence with the southern section line of Section 10 and the centerline of Kessler-Cowlesville Road, also being the northern line of 4025 25A, LLC (Deed Reference 2019OR-15458), North 89°48'43" East 63.50 feet to a set Mag nail at the point of beginning;

Thence leaving said section line and centerline with the easterly right-of-way of County Road 25A the following four (4) courses:

1. North 00°53'17" West 94.80 feet to a set iron pin,
2. South 62°03'44" East 22.52 feet to an existing 5/8" iron pin (PLS 6001),
3. North 07°54'39" East 227.21 feet to an existing 5/8" iron pin, and
4. North 40°15'02" East 141.17 feet to a broken concrete right-of-way marker in the southwest right-of-way of Interstate 75;

Thence with the southwest right-of-way of Interstate 75 the following five (5) courses:

1. South 89°40'12" East 124.24 feet to a set iron pin,
2. South 64°11'38" East 116.14 feet to a set iron pin,
3. South 53°19'28" East 177.90 feet to a set iron pin,
4. South 46°28'44" East 297.83 feet to a point, witnessed by an existing 5/8 inch iron pin at 1.11 feet on the next described line, and
5. South 43°36'17" East, passing aforementioned witness pin at 1.11 feet and another 5/8 inch iron pin at 44.09 feet, a total distance of 71.61 feet to a 5/8" iron pin (PLS 7100) in the south section line of Section 10 and the centerline of Kessler-Cowlesville Road, also

being the northerly line of Quiktrip Corporation (Deed Reference 2023OR-03590);

Thence with the south section line and the centerline South 89°48'43" West, passing an existing Mag nail at 488.63 feet, a total distance of 777.74 feet to the point of beginning containing 4.880 acres, more or less, and subject to all legal rights-of-way and easements of record.

Unless otherwise stated, any monument referred to herein as a set iron pin is a 5/8 inch diameter rebar thirty inches in length with a plastic cap stamped "Webster 8482." All bearings referred to herein are based upon NAD-83(2011) Epoch: 2010 – Ohio State Plane Coordinate System – South Zone.

This description was prepared from a new survey made by Brent M. Webster, Professional Surveyor No. 8482 in the State of Ohio for Webster Land Surveying, L.L.C., in December 2022.

**SECTION 2.** That the certified transcripts of the proceedings for the annexation with an accurate map of the territory, together with the petition for its annexation, and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of Council and have been for more than sixty (60) days.

**SECTION 3.** That the Clerk of Council be, and she is hereby authorized and directed to prepare three (3) certified 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 the proceedings of the Board of County Commissioners relating thereto, and a certificate as the correctness thereof. The Clerk of Council 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 the annexation with the Board of Elections within 30 days after it becomes effective, and the Clerk shall do all other things as required by law.

**SECTION 4.** That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: December 18, 23

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: [Signature]  
Law Director

RESOLUTION NO. 23-09-1134

ANNEXATION  
EXPEDITED TYPE 1  
4.880 ACRES +/- FROM MONROE TOWNSHIP  
TO THE CITY OF TIPP CITY, OHIO

PETITION GRANTED

Mr. Simmons introduced the following resolution and moved it be adopted:

WHEREAS, on September 15, 2023, an annexation petition was filed on behalf of petitioners, Stephen D. Zell and Patricia L. Zell (TOD) owners, Agent being Jon Freeman of Altick & Corwin Co., LPA, City of Tipp City Law Director, address being One South Main Street, Suite 1590, Dayton, OH 45402, for the annexation of 4.880 acres, more or less, in Monroe Township to the City of Tipp City, Ohio; and

WHEREAS, the Monroe Township Board of Trustees, Miami County, Ohio, the City of Tipp City, Ohio and petitioners, Stephen D. Zell and Patricia L. Zell (TOD) (owners) entered into an Annexation Agreement (see attached Agreement) on September 14, 2023, pursuant to Section 709.192 O.R.C.; and

WHEREAS, the County Engineer's Office reviewed the map and legal description of the territory proposed for annexation, pursuant to Section 709.022 O.R.C., and has submitted a letter stating that the map and legal description of the territory proposed for annexation meet their requirements.

Now, therefore be it

RESOLVED, by the Board of Miami County Commissioners, to approve the Expedited Type 1 annexation petition filed on behalf of owners Stephen D. Zell and Patricia L. Zell (TOD), for the annexation of 4.880 acres, more or less, in Monroe Township to the City of Tipp City, Ohio, pursuant to Section 709.022 O.R.C. Further sign the mylar this date.

Mr. Mercer seconded the motion and the Board voted as follows upon roll call:

Mr. Simmons, Yea;

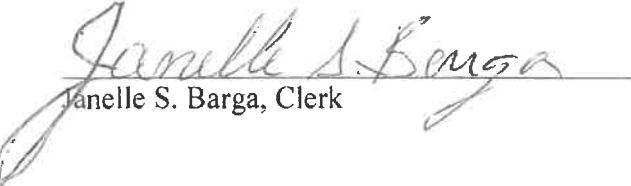
Mr. Mercer, Yea;

Mr. Westfall, Yea;

DATED: September 21, 2023

CERTIFICATION

I, Janelle S. Barga, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the Board under the date of September 21, 2023.

  
Janelle S. Barga, Clerk

CERTIFICATION

ANNEXATION TO CITY OF TIPP CITY, OHIO  
OF 4.880 ACRES MORE OR LESS  
FROM MONROE TOWNSHIP

The Board of Miami County Commissioners does hereby certify that the attached petition with the accompanying plat map are true and correct copies filed in these proceedings.

PETITION

Map  
Legal Description  
List of Parcels Included in the Petition for Annexation  
List of Parcels Adjacent to the Territory Included in the Petition for Annexation  
Resolution authorizing the City of Tipp City and the Board of Trustees of Monroe Township, Miami County to enter into an Annexation Agreement  
Resolution authorizing the Board of Trustees of Monroe Township and the City of Tipp City, Miami County to enter into an Annexation Agreement  
Annexation Agreement between the Board of Trustees of Monroe Township, the City of Tipp City, Miami County and Zell, Stephen D (TOD) and Patricia L (TOD)

ENGINEER'S LETTER

RESOLUTION ACCEPTING ANNEXATION PETITION, APPROVING ANNEXATION,  
SIGNING MYLAR AND SIGNING CERTIFICATION  
(Resolution No. 23-09-1134)

These copies are true and correct transcripts of action taken by the Board:

MIAMI COUNTY COMMISSIONERS:

DATED: September 21, 2023

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

Janelle S. Barga, Clerk



# Miami County Tax Map Department

201 West Main Street  
Troy, OH 45373-3239  
Miami County Safety Building

937-440-6025  
Fax 937-440-6026  
taxmap@miamicountyohio.gov

September 18, 2023

Honorable Board of Miami County Commissioners  
County Plaza  
Troy, OH 45373

Re: Proposed annexation of 4.880 acres, Section 10, Town 4, Range 6, Monroe  
Township to the City of Tipp City (Expedited Type 1)

Dear Commissioners:

Our office has reviewed the proposed plat and legal description for the above-captioned annexation to the City of Tipp City. The annexation plat meets our requirements. The legal description is correct, and matches the proposed plat. The boundary of the parcel being annexed has 28.31% adjacency to the existing corporation boundary, and does not create any islands of unincorporated territory.

We have also reviewed the list of Adjacent Properties and Owner Information as submitted by the agent for the Petitioners on this annexation. That list is not complete. The list submitted as Exhibit "F" does not include the tax mailing addresses of the adjoining parcels involved.

Very truly yours,

A handwritten signature in cursive script that reads 'David Jacquemin'. The signature is written in dark ink and is positioned above a horizontal line.

David Jacquemin  
Deputy Miami County Engineer  
Map Department Technician

PETITION FOR ANNEXATION  
± 4.880 Acres

To the Clerk of the Board of County Commissioners of Miami County, Ohio.

The undersigned, ZELL STEPHEN D (TOD) & PATRICIA L (TOD), being all the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the territory, the legal description of which is attached hereto as Exhibit "A", to the City of Tipp City, Miami County, Ohio pursuant to section 709.022 O.R.C.

RECEIVED

2023 SEP 15 AM 9:48

MIAMI COUNTY  
COMMISSIONERS  
TROY, OHIO

The described territory is adjacent and contiguous with the City of Tipp City, Ohio.

Petitioner has attached hereto as Exhibit "B" and made a part hereof an accurate plat showing the boundaries of the territory sought to be annexed.

Pursuant to 709.192 O.R.C., Petitioner has also attached hereto and made a part hereof the following:

A resolution authorizing the City of Tipp City to enter into an annexation agreement with the Board of Trustees of Monroe Township, Miami County, Ohio, as Exhibit "C"

A resolution authorizing the Board of Trustees of Monroe Township, Miami County, Ohio to enter into an annexation agreement with the City of Tipp City, as Exhibit "D"

Annexation agreement between the City of Tipp City, the Board of Trustees of Monroe Township, Miami County, and ZELL STEPHEN D (TOD) & PATRICIA L (TOD) as Exhibit "E"

Petitioner has also attached hereto as Exhibit "F" and made a part hereof a list of property owners adjacent to the territory sought to be annexed.

Jon Freeman is hereby appointed agent for the undersigned petitioner as required by Section 709.02 O.R.C.

**"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."**

NAME

DATE SIGNED

Stephen D Zell Patricia L Zell  
ZELL STEPHEN D (TOD) & PATRICIA L (TOD)

7-18-2023

☐ EXHIBITS

Exhibit "A"

Legal Description

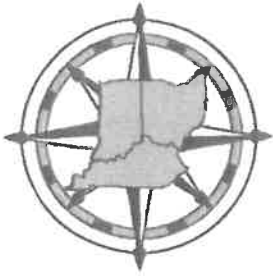
Exhibit "B"

Annexation Plat/map

## **EXHIBITS**

Exhibit "A"	Legal Description
Exhibit "B"	Annexation Plat/map
Exhibit "C"	Tipp City Resolution
Exhibit "D"	Monroe Township Resolution
Exhibit "E"	Annexation Agreement
Exhibit "F"	Adjacent Property Owners List

**Exhibit "A"**  
**Legal Description**



# WEBSTER LAND SURVEYING, L.L.C.

*Surveying the Tri-State Area*

Licensed in OH, IN & KY  
www.nkylandsurveyor.com

2940 Hebron Park Dr., Ste 210. Hebron, KY 41048  
859.760.7794

## LEGAL DESCRIPTIN OF 4.880 ACRES FOR ANNEXATION TO THE CITY OF TIPP CITY

Situate in the Southwest Quarter of Section 10, Town 4, Range 6 East, Monroe Township, Miami County, State of Ohio and being 4.880 acres heretofore conveyed to Stephen D. Zell and Patricia L. Zell by deed, recorded as Deed Reference 2022OR-13216 in the Miami County Recorder's office in Troy, OH, and being more particularly described as follows, to-wit:

Commencing at an existing iron pin in a monument box at the southwest corner of the Southwest Quarter of Section 10;

Thence with the southern section line of Section 10 and the centerline of Kessler-Cowlesville Road, also being the northern line of 4025 25A, LLC (Deed Reference 2019OR-15458), North 89°48'43" East 63.50 feet to a set Mag nail at the point of beginning;

Thence leaving said section line and centerline with the easterly right-of-way of County Road 25A the following four (4) courses:

1. North 00°53'17" West 94.80 feet to a set iron pin,
2. South 62°03'44" East 22.52 feet to an existing 5/8" iron pin (PLS 6001),
3. North 07°54'39" East 227.21 feet to an existing 5/8" iron pin, and
4. North 40°15'02" East 141.17 feet to a broken concrete right-of-way marker in the southwest right-of-way of Interstate 75;

Thence with the southwest right-of-way of Interstate 75 the following five (5) courses:

1. South 89°40'12" East 124.24 feet to a set iron pin,
2. South 64°11'38" East 116.14 feet to a set iron pin,
3. South 53°19'28" East 177.90 feet to a set iron pin,
4. South 46°28'44" East 297.83 feet to a point, witnessed by an existing 5/8 inch iron pin at 1.11 feet on the next described line, and
5. South 43°36'17" East, passing aforementioned witness pin at 1.11 feet and another 5/8 inch iron pin at 44.09 feet, a total distance of 71.61 feet to a 5/8" iron pin (PLS 7100) in the south section line of Section 10 and the centerline of Kessler-Cowlesville Road, also being the northerly line of Quiktrip Corporation (Deed Reference 2023OR-03590);

Thence with the south section line and the centerline South 89°48'43" West, passing an existing Mag nail at 488.63 feet, a total distance of 777.74 feet to the point of beginning

containing 4.880 acres, more or less, and subject to all legal rights-of-way and easements of record.

Unless otherwise stated, any monument referred to herein as a set iron pin is a 5/8 inch diameter rebar thirty inches in length with a plastic cap stamped "Webster 8482." All bearings referred to herein are based upon NAD-83(2011) Epoch: 2010 – Ohio State Plane Coordinate System – South Zone.

This description was prepared from a new survey made by Brent M. Webster, Professional Surveyor No. 8482 in the State of Ohio for Webster Land Surveying, L.L.C., in December 2022.

**Exhibit "B"**  
**Annexation Plat/Map**



**Exhibit "C"**  
**Tipp City Resolution**

RESOLUTION NO. 38 -23

J. Pates, Clerk of Council

BY: M. Slagel

**A RESOLUTION AUTHORIZING THE CITY OF TIPP  
CITY TO ENTER INTO AN ANNEXATION AGREEMENT  
FOR 59-85 KESSLER-COWLESVILLE ROAD WITH  
THE BOARD OF TRUSTEES OF MONROE TOWNSHIP,  
MIAMI COUNTY, OHIO**

**WHEREAS**, the Ohio Revised Code Section 709.192 allows a township and a city to enter into an annexation agreement providing for land to be annexed, and;

**WHEREAS**, the owner of a +/- 4.880-acre tract of land adjoining the corporate limits of the City of Tipp City has expressed the desire to annex said land, and;

**WHEREAS**, the township and the city have studied the proposed annexation, discussed plans for the beneficial use of the territory, and developed mutual understandings suitable for a formal agreement establishing future land uses of the proposed annexation area.

**NOW, THEREFORE, THE MUNICIPALITY OF TIPP CITY HEREBY RESOLVES:**

**SECTION 1.** That the Council for the City of Tipp City supports and authorizes the execution of the proposed annexation agreement, attached herewith as EXHIBIT "A" and deemed a part of this resolution as if fully rewritten.

**SECTION 2.** That the Clerk of Council is directed to provide the Board of Trustees of Monroe Township a certified copy of this Resolution, so that the Board of Trustees of Monroe Township can provide this resolution to the Miami County Commissioners.

**SECTION 3.** That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

PASSED: August 21, 23

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: [Signature]  
Director of Law

**Exhibit "D"**  
**Monroe Township Resolution**

**BOARD OF TRUSTEES  
MONROE TOWNSHIP, MIAMI COUNTY, OHIO  
RESOLUTION NO. 8-C-23**

**A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF MONROE TOWNSHIP,  
MIAMI COUNTY, OHIO TO ENTER INTO AN ANNEXATION AGREEMENT WITH THE  
CITY OF TIPP CITY REGARDING +/- 4.880 ACRES LOCATED AT 59-85 KESSLER COWL ROAD.**

The Board of Trustees of Monroe Township, Miami County met in regular session on the 7<sup>th</sup> day of August 2023, at 6:00 p.m. with the following members present:

Philip G. Cox  
Gregory L. Siefring  
Michael S. Flora

Mr. \_\_\_\_\_ moved the adoption of the following resolution:

**WHEREAS,** the Ohio Revised Code Section 709.192 allows a township and a city to enter into an annexation agreement providing for land to be annexed, and;

**WHEREAS,** the owner of 59-85 Kessler Cowl Road, being a +/- 4.880 acre tract of land adjoining the corporate limits of the City of Tipp City has expressed the desire to annex land, and;

**WHEREAS,** the Township and the City have studied the proposed annexation, discussed plans for the beneficial use of the territory and developed mutual understandings suitable for a formal agreement establishing future land uses of the proposed annexation area, and;

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Trustees of Monroe Township, Miami County, Ohio;

**SECTION 1.** That the Board of Trustees of Monroe Township support and authorize the execution of the proposed annexation agreement, attached herewith as EXHIBIT "A" and deemed a part of this resolution as if fully rewritten.

**SECTION 2.** That the Board of Trustees of Monroe Township Fiscal Officer is directed to provide the City of Tipp City a certified copy of this Resolution so that the City of Tipp City can provide this resolution to the Miami County Commissioners.

Mr. \_\_\_\_\_ seconded the motion, and the roll was called on the question of its adoption on this 7<sup>th</sup> day of August 2023. The vote was as follows:

<u>Name</u>	<u>VOTE</u>
<u>Philip G. Cox</u>	<u>Yes</u>
<u>Gregory L. Siefring</u>	<u>Yes</u>
<u>Michael S. Flora</u>	<u>yes</u>
Attest: <u>L. Anthony Becker, Fiscal Officer</u>	<u>8/7/2023</u> Date

**Exhibit "E"**  
**Annexation Agreement**

# ANNEXATION AGREEMENT

## 59-85 Kessler Cowlesville Road

**THIS AGREEMENT** is entered into as of the 14<sup>th</sup> day of September, 2023, pursuant to Section 709.192 of the Ohio Revised Code, by and between the City of Tipp City ("City"), the Board of Trustees of Monroe Township, Miami County ("Board of Trustees"), and ZELL STEPHEN D (TOD) & PATRICIA L (TOD), owner of the property located at 59-85 Kessler Cowlesville Road, Tipp City ("Owner"), and under the following circumstances:

**WHEREAS**, on or about July 25, 2023, the petitioner (Owner) has initiated the annexation of  $\pm$  4.880 acres of land to the City of Tipp City, more specifically described in Exhibit "AA" attached hereto and made part hereof; and

**WHEREAS**, Ohio Revised Code Section 709.192 allows a city and township to enter into an annexation agreement providing for land to be annexed; and

**WHEREAS**, Ohio Revised Code Section 709.022 provides the most efficient annexation procedure when a city and township do not disagree on a particular annexation; and

**WHEREAS**, the City and Board of Trustees plan to promote an open line of communication regarding annexation issues.

**NOW THEREFORE**, in consideration of the above recitals and in consideration of the mutual benefits and promises hereinafter contained, the parties agree as follows:

1. The City, Board of Trustees, and the Owner hereby enter into this "Annexation Agreement" providing for the City of Tipp City to annex the lands more specifically described in the attached Exhibit "AA".
2. The Owner holds title to the  $\pm$  4.880 acres being parcel numbers G12-006100, and G12-006150, in Sections 10, Town 4, Range 6 East.
3. The Owner wishes to annex into the City of Tipp City.
4. That the City will place an interim zoning designation for the  $\pm$  4.880 acre tract that most closely conforms with the existing Miami County zoning of Highway Business (B-1).
5. That the owner will initiate the "final" rezoning process for the  $\pm$  4.880-acre tract to rezone the tract to the appropriate Tipp City zoning classification within 60 days after annexation. The Tipp City Comprehensive Plan shows this property as "Highway Business". The current Miami County zoning classification for this property is a combination of 2.24 acres Highway Business (B-1) and 2.64 acres Highway Business (B-1).
6. The City shall provide all municipal services to the annexation area in accordance with current and/or future policies—provided, however, that costs of extending utilities to the annexation area will be borne upon the Developer and, at the Developer's option, shared by Developer through a cost-sharing arrangement with other owner(s) of property in the vicinity annexing to the City, and the City's obligation to provide such service will be contingent upon utilities being extended by Developer to the annexation area.
7. The Board of Trustees shall continue to receive property taxes in accordance with the Ohio Revised Code for this property after the annexation, since the property shall remain in Monroe Township.

8. That the Owner agrees to the terms and conditions set forth in this agreement, and that this agreement shall be recorded and bind the parcel to the terms and conditions.
9. All matters related to the implementation of this agreement, and the discharge of duties and responsibilities of each of the parties hereunto pursuant to its terms and conditions shall be affected and completed in full compliance with any and all applicable laws and regulations, State, Federal and Local.
10. This document and Agreement, and the terms and conditions set forth herein, without reference to any material, document, or information outside the boundary of the same, shall constitute the full and complete agreement in these regards by and among the parties hereto, and shall create by and among the same only the relationship, obligations, and commitments expressly set forth herein and imposed hereby. To the extent that such action may be permitted by law, each of the parties hereto covenants and agrees to be responsible for its own negligence in the performance of their respective duties under this agreement.
11. The Agreement may be amended but only by a written document signed by all parties hereto.

**IN WITNESS WHEREOF**, the City has authorized the execution of this Agreement, by the City Manager, under the authority of Resolution No. 39 -23 passed on the 21<sup>st</sup> day of August, 2023, the Monroe Township Board of Trustees has authorized the execution of this agreement under the authority of Resolution No. B-C-23 passed on the 7<sup>th</sup> day of August, 2023, and the Owner has executed this Agreement on the 14<sup>th</sup> day of September, 2023. This Agreement is to be effective as of the date set forth on the first page although the parties have actually signed the dates set forth opposite their respective signatures.

Date: September 7, 2023

**CITY OF TIPP CITY, OHIO**

By:   
Timothy J. Eggleston  
City Manager

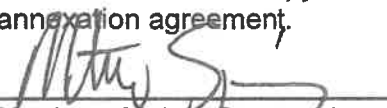
**APPROVED AS TO FORM**

  
Jonathan B. Freeman, Law Director

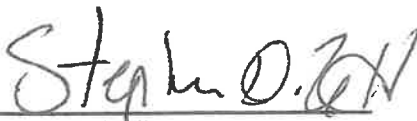
Date: September 21 2023

**ZELL STEPHEN D (TOD) & PATRICIA L (TOD)**


I certify the foregoing to be  
a true and accurate copy of the  
annexation agreement.

  
Matthew Spring, Community  
Development

I certify the foregoing to be  
a true and accurate copy of the  
annexation agreement.

  
Stephen D. Zell

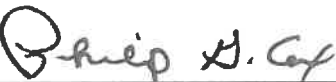
  
Stephen D. Zell

  
Patricia L. Zell

Date: SEPT 14, 23 2023

**MONROE TOWNSHIP BOARD OF TRUSTEES,  
MIAMI COUNTY, OHIO**

I certify the foregoing to be  
a true and accurate copy of the  
annexation agreement.


By:   
Philip G. Cox

  
L. Anthony Becker

By:   
Gregory L. Siefring

By:   
Michael S. Flora

**APPROVED AS TO FORM**

  
Anthony E. Kendall  
Prosecuting Attorney of Miami County, Ohio

**EXHIBIT F**  
**Adjacent Property Owners**

**List of Property Owners**

<b>SUBJECT PARCELS</b>			
<b>Parcel Number</b>	<b>Owner</b>	<b>Parcel Address</b>	<b>Owner Mailing Address</b>
G12-006150	STEPHEN D (TOD) & PATRICIA L (TOD) ZELL	85 KESSLER COWL RD, TIPP CITY OH 45371	4809 E ST RT 55, CASTTOWN OH 45312
G12-006100	STEPHEN D (TOD) & PATRICIA L (TOD) ZELL	59 KESSLER COWL RD, TIPP CITY OH 45371	4809 E ST RT 55, CASTTOWN OH 45312

<b>NEIGHBORING PARCELS</b>			
<b>Parcel Number</b>	<b>Owner</b>	<b>Parcel Address</b>	<b>Owner Mailing Address</b>
G12-016000	WILLSON ROBERT A & ANNA M & M H H INC	4020 S CO 25A RD, TIPP CITY OH 45371	2160 WOODSTOCK CT, TROY OH 45373
G15-020566	QUIKTRIP CORPORATION	S CO 25A RD, TIPP CITY OH 45371	4705 S 129TH EAST AVE, TULSA OK 74134
G15-022640	MEIJER DISTRIBUTION INC	4200-212 S CO 25A RD, TIPP CITY OH 45371	ATTN: Property Tax Dept, 2929 NW WALKER AVE, GRAND RAPIDS MI 49544
G12-012810	4025 25A LLC	4025 S CO 25A RD, TIPP CITY OH 45371	2001 US HIGHWAY 68 N, XENIA OH 45385
G15-021140	1001 25A LLC	65 KESSLER-COWL RD SUITES A & B, TIPP CITY OH 45371	3050 S TIPP COWL RD, TIPP CITY OH 45371

**EXHIBIT "F"**  
**Adjacent Property Owners**

List of Property Owners

**Subject Parcels**

<u>Owner</u>	<u>Address</u>	<u>Permanent Parcel #</u>
Zell Stephen D (TOD) & Patricia L (TOD)	85 Kessler Cowl Rd, Tipp City, OH 45371	G12-006150
Zell Stephen D (TOD) & Patricia L (TOD)	59 Kessler Cowl Rd, Tipp City, OH 45371	G12-006100

**Neighboring Parcels**

<u>Owner</u>	<u>Address</u>	<u>Permanent Parcel #</u>
Willson Roberta A & Anna M & M H H Inc	4020 CO Rd 25A S, Tipp City, OH 45371	G12-016000
Quiktrip Corporation	CO Rd 25A S, Tipp City, OH 45371	G15-020566
Meijer Distribution Inc	4200 -212 CO Rd 25A S, Tipp City, OH 45371	G15-022640
4025A LLC	4025 CO Rd 25A S, Tipp City, OH 45371	G12-012810
1001 25A LLC	65 Kessler Cowl Rd, Tipp City, OH 45371	G15-021140